

The Road to Civil Rights

Series: FHWA Highway History Website Articles

April 7th, 2015



U.S. Department of Transportation
Federal Highway Administration
1200 New Jersey Ave, SE
Washington, DC 20590

This PDF was downloaded from FHWA's Highway History website:
<https://www.fhwa.dot.gov/infrastructure/history.cfm>.

The Road to Civil Rights
Table of Contents

Introduction
Dred Scott vs. Sandford
Underground Railroad
Introducing Jim Crow
The League of American Wheelmen
Marshall “Major” Taylor
Plessy v. Ferguson
William A. Grant
Woodrow Wilson
The Black Migration
Pullman Porters
The International Brotherhood of Sleeping Car Porters
The Davis-Bacon Act
Adapting Transportation to Jim Crow
The 1941 March on Washington
World War II – The Alaska Highway
World War II – The Red Ball Express
The Family Vacation
Journey of Reconciliation
President Harry S. Truman and Civil Rights
South of Freedom
Brown v. Board of Education of Topeka
Too Tired to Move
When Rulings Don’t Count
Boynton v. Virginia (1960)
Freedom Riders
Completing the Freedom Ride
A Night of Fear
Justice in Jackson
Waiting for the ICC
The ICC Ruling
End of a Transition Year
Getting to the March on Washington
The Civil Rights Act of 1964
The Voting Rights March
The Pettus Bridge
Across the Bridge
The Voting Rights Act of 1965
March Against Fear
The Poor People’s Campaign

Assassination of Dr. Martin Luther King, Jr.
Completing the Poor People's Campaign
Bureau of Public Roads – Transition
Disadvantaged Business Enterprises
Rodney E. Slater – Beyond the Dreams
References

The Road to Civil Rights

By

Richard F. Weingroff

Perhaps it is easy for those who have never felt the stinging darts of segregation to say, "Wait." But when . . . you take a cross country drive and find it necessary to sleep night after night in the uncomfortable corners of your automobile because no motel will accept you . . . then you will understand why we find it difficult to wait.

Letter from a Birmingham Jail

Martin Luther King, Jr.

April 16, 1963

Introduction

The Bureau of Public Roads officials who conceived and planned the Interstate System saw it as the savior of the cities—a way to reverse suburbanization and revitalize decaying portions of the city. The 1939 report to Congress, *Toll Roads and Free Roads*, described the process after noting “the leapfrog like movement of traffic from the periphery of the cities over intervening areas to their centers”:

The motor vehicle itself is the primary cause of this phenomenon. It made possible the outward transfer of the homes of citizens with adequate income from the inner city to the suburbs and it now conveys these citizens daily back and forth to their city offices and places of business.

The former homes of the transferred population have descended by stages to lower and lower income groups, and some of them (each year an increasing number, and generally those nearest the center of the city) have now run the entire gamut. Almost untenable, occupied by the humblest citizens, they fringe the business district, and form the city’s slums—a blight nears its very core! . . . And now—the Federal Government is beginning to acquire them in batches in connection with its slum-clearance projects. Heralds of a better future though they are, these acquisitions comprise one of the reasons for avoidance of delay in dealing with the problem of transcity highway connections and express highways. [*Toll Roads*, p. 94]

The plan outlined in *Toll Roads and Free Roads* and its 1944 successor *Interregional Highways* was to replace the ring of decaying homes around the central business district of the large cities with an inner belt highway. Radial arterials would connect the inner belt with an outer belt designed to allow interstate traffic to bypass the city and let local traffic drive among the radials. [Weingroff, Richard F., “The Genie in the Bottle,” *Public Roads*, September/October 2000, p. 2]

The report did not characterize “the humblest citizens” who occupied the inner ring. When the two reports were drafted, the residents would have been a mix of poor whites, immigrants, and migrants, including many African-Americans from the rural South. By the 1960s, the decayed housing stock left to them by the suburban migration was referred to as the ghetto, a source of so much turmoil that cities appeared to be ungovernable. Many African-Americans had escaped the ghetto, often to live in the original set of suburban housing stock that the white population was fleeing to new stock further out, including beyond the city limits.

By the time construction began to replace the homes of “the humblest citizens” with Interstate highways in the mid-1950s, a different world than the one the authors of the 1939 and 1944 reports to Congress lived in would confront the Nation’s road builders. In the 1930s, even the 1940s, the highway plan seemed logical, even visionary—replace the lowest priced housing stock that generated limited tax revenue with highways that would not only carry traffic efficiently but inspire development, and increased tax revenue, in the corridors. However, Supreme Court rulings, marches and protests, and new Federal laws toppled the laws segregating the races in the South and gave African-Americans political power and economic opportunity.

Historian Mark H. Rose explained some of the effects of the change on the urban vision conceived along with the Interstate System:

In many instances, engineers and local planners and politicians had sketched those routes years before, often as far back as 1939 when the neighborhoods were populated mostly by white householders By the early 1950s, however, urban America was in the middle of a vast movement of population in which black householders took up residence in the areas near downtown and whites relocated to the urban periphery. In short, black families and businesses now resided along potential Interstate corridors—areas of dense traffic flow and cheap land and thus the most likely corridors for great express highways. As neighborhoods changed from white to black, then, class as well as race conflict became embedded in that engineering logic.

During the 1960s, these demographic changes began to affect route selection and construction in the nation’s cities. Up to the mid-1960s, the presence of a large black population failed to influence the politics of route selection as state engineers constructed Interstate roads through black neighborhoods in cities such as Chicago, Columbus, Miami, and New York. After the mid-1960s, however, confrontation with imminent highway construction encouraged formation of business and neighborhood groups dedicated to stopping the construction process.

Protesters decried “institutionalized racism” in the road program, which sought to build “white men’s roads through black men’s bedrooms.” The battles of the Civil Rights Movement had not only emboldened African-Americans to fight for justice, but had taught them the tactics that worked:

By the late 1960s, moreover, leaders of many of those groups had become sophisticated about deploying legal and administrative procedures that were prerequisite in delaying highway construction. [Rose, Mark H., *Interstate Express Highway Politics: 1939-1989* (Revised edition), The University of Tennessee Press, 1979, p. 107-108]

Howard Gillette, Jr., who studied the impacts of highway and urban development on the African-American neighborhoods of Southwest Washington, D.C., said that political compromise was not possible because “the debate had become too polarized to resolve.” [*Interstate Express*, p. 108] The “humblest citizens” no longer were humble, and the fight against the Interstates became one element of a broad transformation of racial relations.

The link between transportation and civil rights had been forged decades earlier.

Dred Scott vs. Sandford

One of the Supreme Court’s most critical rulings on slavery, *Dred Scott vs. Sandford* (1857), began with transportation. Dred Scott was born into slavery in Virginia in 1799. He moved with his owner’s family to Huntsville, Alabama, and St. Louis, Missouri, where he was sold to Dr. John Emerson of the U.S. Army. Dr. Emerson took Scott along on 2-year assignments in Illinois and the Wisconsin Territories (Fort Snelling in what is now Minnesota), where slavery was illegal.

After marrying Irene Sandford, Dr. Emerson returned to Missouri in 1842 and was transferred to Louisiana. Dr. Emerson summoned Scott and his wife Harriet, who traveled over 1,200 miles down the Mississippi River, apparently unaccompanied, to join their owners. Upon the death of Dr. Emerson in 1843, Mrs. Emerson’s brother, John F. A. Sandford, became executor of the Emerson estate, including Dred and Harriet Scott. After being rented to an Army Captain, Scott attempted to buy freedom for himself and his wife for \$300. When the offer was refused, he took to the courts in 1847.

The March 1857 ruling written by Chief Justice Roger B. Taney in *Dred Scott v. Sandford* has long been considered one of the darkest moments in the history of the Supreme Court. It found that descendants of black Africans—whether free or slave—could not be citizens of a State under the Constitution. Neither the Northwest Ordinance of 1787 nor the Missouri Compromise legislation of 1820 could confer citizenship. Slaves had no right to freedom or to pursue freedom in the courts; they were property subject only to the conditions of sale.

(In 1850, Mrs. Emerson married an abolitionist, Calvin Chaffee. After the Supreme Court ruling, he directed the return of Scott to his original owner’s family, the Blow Family. They freed Dred and Harriet Scott on May 26, 1857. Dred Scott died in September 1858; Harriet survived him by 18 years, dying in 1876.)

Underground Railroad

One of the most controversial issues of the slave era was the right of slave owners to the return of runaway slaves who reached free States. The Fugitive Slave Act of 1850, approved by President Millard Fillmore on September 18, required all runaway slaves to be returned to their owners. A bounty for the return ensured that slave catchers would be aggressive in pursuit of profit. The law was part of the “Compromise of 1850” in which Members of Congress from the slave States and anti-slavery States agreed to measures that kept the southern States from attempting to secede from the Union.

The Underground Railroad, beginning in the 1820s, was an informal network of abolitionists who helped slaves reach Canada. Although the network employed railroad terminology (for example, “conductors” moved the runaway slaves from post to post, “stations” were safe locations where runaways could hide until the next stage of their journey could begin, and financial contributors were “stockholders”), transportation was largely along the Nation’s primitive road network, on foot or in wagons, and mostly at night in 10-20 mile leaps. Along the East Coast, the railroad might include a journey north by ship.

Professor John Michael Vlach explained that the Underground Railroad grew into an established network:

The range of places and pathways used by fugitive slaves might suggest a random, haphazard effort, but all of these locations and routes did coalesce, over time, into a coherent network. This “upper-ground railroad” emerged incrementally through the collective experience of numerous runaways. Slaves, being ever watchful for anything they might use to improve their lives, routinely noted the places where they could hide themselves should they ever decide to escape. With the lure of freedom as a powerful motivation, they paid careful attention to reports of preferred trails they might follow and of possible places where they could find shelter

Runaway slaves did not just wander aimlessly, hoping to meet up with a charitable person who would help them. Rather, they knew a good deal about how to get away and how to survive on their own.

He referred to the Underground Railroad as a “multi-pronged attack on the system of chattel slavery carried out over a period of more than half a century.” The courage of the runaway slaves is undercut, he states, by the historical emphasis on the “conductors” and “stages”:

The Underground Railroad of popular legend casts blacks mainly as the passive “customers” who were fortunate enough to receive a “ticket” allowing them to ride on the “Liberty Line.” [Vlach, John Michael, “Above Ground on the Underground Railroad,” *Passages to Freedom: The Underground Railroad in History and Memory*, Blight, David W., ed., Smithsonian Books, 2004, p. 96-98]

Simply leaving the South was dangerous for conductors and slaves alike, but the northern part of the journey was equally dangerous, especially after enactment of the Fugitive Slave Act. Slave catchers roamed the northern States in search of runaways.

Harriet Tubman, a runaway slave from Maryland's Eastern Shore, earned a reputation as the Moses of the Underground Railroad. Having escaped her own enslavement in 1849, she returned to the South 20 times beginning in 1850 to guide more than 300 slaves to freedom. She initially returned to rescue family members, but gradually began to engineer mass escapes, guiding the fugitives along the "stations" to freedom. She often used disguises, appearing as an elderly woman on several occasions, or in other outfits as she traveled through the South.

In a biography of Tubman, Beverly Lowry described one of Tubman's trips:

The Underground Railroad was, as its name implies, a secret organization, a web of guerrilla fighters dedicated to the cause of freedom for the enslaved people of the South.

Fugitives were hidden in root cellars and attics. They were disguised and, in unfamiliar clothing, were taken from one safe house to the next by any means available, including boats, trains, wagons, carts, and of course on foot down secret paths and unmarked trails.

Reaching Philadelphia, they continued their journey:

However she travels, she is setting off into new territory, beyond Philadelphia, toward New York, and eventually across the Niagara River to present-day Ontario, which at that time was called Canada West.

Slave catchers are good at their job, and they are everywhere. They watch freight and passenger trains to the north with exceeding care, as do federal agents, who also hope to collect a bounty. Any black person boarding a northbound train will be searched and questioned. Most will be kidnapped and taken away.

But Harriet has made her arrangements with people who will hide all twelve of them safely along the route, sometimes in freight cars among hay bales and boxes of goods. There will be someone to meet her and her group when they arrive at the next stop, and the next.

In Rochester, they stay in the home of Frederick Douglass, who will not speak of their visit until long after emancipation, in 1881, when he writes:

On one occasion I had eleven fugitives at the same time under my roof, and it was necessary for them to remain with me until I could collect sufficient money to get [them] on to Canada. It was the largest number I

ever had at any one time, and I had some difficulty in providing so many with food and shelter, but as may well be imagined, they were not very fastidious in either direction, and were well content with very plain food, and a strip of carpet on the floor for a bed, or a place on the straw in the barn lot.

Having safely crossed the Niagara to gather under what she calls “the protection of the British lion’s paw,” the fugitives find their way to the nearby town of St. Catharines. There, in time, Harriet will rent a home located on North Street, in a district where black people have established a community.

Lowry added that:

Usually, on these longer trips, she “proceeded by steam railroad to New York, and from there she took the train to Albany,” where she boarded a train for Rochester. There, Frederick Douglass often saw that she “got on the train for the Suspension Bridge and St. Catharines in Canada.” [Lowry, Beverly, *Harriet Tubman: Imagining a Life*, Doubleday, 2007, p. 169-170]

The number of slaves who reached Canada is impossible to know, but estimates range from 30,000 to 100,000. In Canada, they found freedom but were subject to the type of discrimination that would become common in the United States after the Civil War.

Introducing Jim Crow

In the post-Civil War United States, prejudice against the freed slaves would grow throughout the second half of the 19th century and into the middle years of the 20th.

Prejudice had been held in check somewhat after the war by the presence of Federal troops in the former Confederate States. However, in resolving the disputed presidential election of 1876, Rutherford B. Hayes, the Republican Governor of Ohio, agreed to withdraw the troops in exchange for the southern electoral votes he needed to secure victory despite the fact that Governor Samuel J. Tilden of New York had won the popular vote. The Democratic Party agreed to this compromise because it gave their southern counterparts control of the levers of State government (the Republican Party of Abraham Lincoln was hated throughout the southern States until the late 1960s).

Historian C. Vann Woodward wrote in the mid-1950s:

The phase that began in 1877 was inaugurated by the withdrawal of federal troops from the South, the abandonment of the Negro as a ward of the nation, the giving up of the attempt to guarantee the freedman his civil and political equality, and the acquiescence of the rest of the country in the South’s demand that the whole problem be left to the disposition of the dominant Southern white people. What the new status of the Negro would be was not at once apparent, nor were the Southern white people themselves so united on that subject at first as has been

generally assumed

The public symbols and constant reminders of his inferior position were the segregation statutes, or “Jim Crow” laws. They constituted the most elaborate and formal expression of sovereign white opinion upon the subject. In bulk and detail as well as in effectiveness of enforcement the segregation codes were comparable with the black codes of the old regime, though the laxity that mitigated the harshness of the black codes was replaced by a rigidity that was more typical of the segregation code. That code lent the sanction of law to a racial ostracism that extended to churches and schools, to housing and jobs, to eating and drinking. Whether by law or by custom, that ostracism eventually extended to virtually all forms of public transportation, to sports and recreations, to hospitals, orphanages, prisons, and asylums, and ultimately to funeral homes, morgues, and cemeteries. [Woodward, C. Vann, *The Strange Career of Jim Crow*, A Galaxy Book, Oxford University Press, 14th Printing, 1965, p. 6-8]

(Professor Peter Irons explained the origins of the term “Jim Crow”:

The term itself had its origins in the 1830s, beginning with the minstrel show of Thomas “Daddy” Rice, a white man who blackened his face with burnt cork, dressed in rags, and danced and sang in a caricature of blacks. He called this part of his show “Jump Jim Crow,” after a crippled black slave who belonged to a white man named Crow. White audiences loved the demeaning portrayal of a grinning, shuffling black man, and the term quickly entered the language. During the 1840s, abolitionist newspapers adopted the term to describe the segregated railroad cars in northern states. [Irons, Peter, *Jim Crow’s Children: The Broken Promise of the Brown Decision*, Penguin Books, 2004, p. 12])

Fighting against the Jim Crow public transportation rules would be a key element in fighting for the civil rights of African-Americans:

After the fall of the Confederacy many white people of the South, and some in the North as well, showed a strong disposition to regard the newly liberated freedmen in the same way they had despised free Negro before the war and to subject them to the same treatment. One result was that railroads, steamboats, and other carriers in the South began to deny Negroes the use of first-class accommodations. Passenger trains of that period, even the better ones, commonly had only two coaches, one usually called the “ladies’ car,” to which white men who paid the price were also admitted, and the other the “smoking car” or “gentlemen’s car.” They were in effect first and second-class accommodations. On the smaller railroads the second car was likely to be an old car or even a freight car. Smoke, tobacco juice, and profanity did not increase the attractiveness of second-class travel. The great bulk of freedmen and the majority of whites could rarely afford first-class accommodations anyway, but those Negroes who could were regularly denied them. [*Strange Career*, p. xiv]

Immediately after the war, Mississippi, Florida, and Texas tried to limit racial mixing. In Mississippi, African-Americans were not allowed to ride in first-class passenger cars. Florida excluded African-Americans from cars reserved for whites, while also prohibiting whites from accommodations set aside for African-Americans. It did not require the railroads to provide separate cars, and allowed the races to mix in the smoking car. Texas required separate cars for freedmen.

Reconstruction legislatures that took office shortly after the war quickly repealed these laws, although common practice continued to limit racial mixing. [*Strange Career*, p. xv]

Following the departure of Federal troops in 1877, segregationists regained control of State legislatures. In what Woodward considered one of the earliest Jim Crow laws, Tennessee enacted a law in 1881 that required railroad companies in the State “to ‘furnish separate cars, or portions of cars cut off by partitioned walls’ in which Negro passengers who paid for first-class accommodations could have the same facilities enjoyed by whites who paid the same fare.” This law was seen by white legislators as a concession because many railroads were informally segregating the races with separate “colored” cars. [*Strange Career*, p. xvi]

Although racial mixing was common as late as the 1870s, a series of Supreme Court rulings beginning in the 1870s further undermined Federal legal protections for African-Americans. In rulings from 1873 to 1875, the Supreme Court “drastically curtailed the privileges and immunities recognized as being under federal protection.” In 1883, the court concluded that the 14th Amendment gave Congress power to restrain the States, but not individuals from acts of racial discrimination and segregation. (The 14th Amendment prohibited the States from infringing on the right of any citizen to the pursuit of life, liberty, and property, without due process of law, or the equal protection of its laws.) [*Strange Career*, p. 53]

The extent of the change in direction was reflected in rulings on common carriers, such as railroads:

Having ruled in a previous case (*Hall v. de Cuir*, 1877) that a state could not *prohibit* segregation, the Court in 1890 (*Louisville, New Orleans, and Texas Railroad v. Mississippi*) ruled that a state could constitutionally *require* segregation on carriers. [*Strange Career*, p. 54, italics in original]

As these legal changes occurred, the States acted:

The first genuine Jim Crow law requiring railroads to carry Negroes in separate cars or behind partitions was adopted by Florida in 1887. Mississippi followed this example in 1888; Texas in 1889; Louisiana in 1890; Alabama, Arkansas, Georgia, and Tennessee in 1891; and Kentucky in 1892. The Carolinas and Virginia did not fall into line until the last three years of the century.

Negroes watched with despair while the legal foundations for the Jim Crow system were laid and the walls of segregation mounted around them. [Woodward, C. Vann, "The Birth of Jim Crow," *American Heritage*, April 1964, p. 52]

The League of American Wheelmen

Beginning in the 1870s, the Nation was swept by what highway historians call the Bicycle Craze. The craze began with the "ordinary" or "Penny farthing" (the bicycle with the large front wheel and a smaller rear wheel), but became even more widespread with introduction of the "safety" bicycle in the 1880s (two wheels of equal size with pneumatic tires) that could be operated by virtually anyone. Millions of riders rode around the Nation's cities, wore bicycle clothes purchased at bicycle shops, read bicycle publications, attended bicycle training academies, watched bicycle races, formed bicycle clubs, rode in urban velodromes, and agitated for legislation to promote bicycling.

Author Fred C. Kelly said of the craze:

When a craze of any kind really catches on in this republic, restraint does not characterize its reception. The great bicycle craze of the Gay Nineties offers a fairly good example. Listen to the editor of the New York *Tribune* in 1895: "The discovery and progressive improvement of the bicycle is of more importance to mankind than all the victories and defeats of Napoleon, with the First and Second Punic Wars . . . thrown in." Hear also the official voice of the United States Census, at the end of the same decade: "Few articles ever used by man have ever created so great a revolution in social conditions."

. . . The craze hit all ages. It led to a change in women's styles—skirts became shorter—and it started the movement toward decent roads. It was the great leveler, too, demonstrating as never before the American principle that every man is as good as any other and maybe better. [Kelly, Fred C., "The Great Bicycle Craze," *American Heritage*, December 1956, p. 69]

The craze would affect coming transportation revolutions. Several early automobile innovators emerged from the bicycle industry, including the Duryea Brothers (who in 1893 built the first American automobile with an internal combustion engine), Alexander Winton, Alexander Pope, and the Apperson Brothers. Orville and Wilbur Wright, who would launch the aviation industry, began their careers in the bicycle and repair business in Dayton, Ohio.

Bicycle clubs came together to form the League of American Wheelmen (L.A.W.) in 1880 and it quickly became the country's premier bicycling association. It provided assistance to its members, held conventions, worked to change State and local laws that inhibited bicycling, and enticed the Federal Government into rudimentary efforts to improve the Nation's country roads. The L.A.W. sponsored the agitation that prompted Congress to appropriate \$10,000 for a road inquiry in the Department of Agriculture. Secretary of Agriculture J. Sterling Morton launched the inquiry in 1893 with the opening

of the U.S. Office of Road Inquiry (forerunner of the Federal Highway Administration), which was limited initially to educational, technical, and promotional activities.

The L.A.W. had to address the racial issue in its early years. Professor Robert A. Smith, in his book on the impacts of the Bicycle Craze, was not able to find information on when African-Americans began bicycling. He speculated that African-Americans took to the bicycle later than whites, “if for no other reason than that the early bicycles were so expensive.” He added:

Nevertheless, Negroes took to the machine like everyone else, and there is reason to believe that the old ordinaries found their final homes in the South.

The color line was first drawn when it came to membership in the League of American Wheelmen and participation in league-sponsored racing meets. In the early years, when the cycle was expensive, the question of Negro membership in the league did not really come up, but by 1890 it had become an issue that the organization tried to solve by ignoring it. However, the problem did not go away, and two years later some LAW members were arguing that the league was a voluntary social organization and that each local unit had the right to exclude whomever it wanted. The larger question raised by this debate was what would happen if a local unit of the league voted to accept Negroes as members. Did membership in the local club also carry membership in the national organization, and if so, did this mean that black members could attend league conventions?

The issue could be delayed only so long. During the L.A.W.’s 1893 convention in Louisville, a Louisville attorney named Colonel William W. Watts proposed a motion that would change the group’s constitution to limit membership to white people:

The motion, which had to be carried by a majority of two thirds, split the convention almost exactly, 108 votes for and 101 against. The foes of discrimination had good reason to be discouraged, because in the year following, when the matter came before the convention again, the lily-whites won the day. The constitution was amended, and Negroes were excluded from membership in the League of American Wheelmen.

The *New York Tribune* condemned the action (“wheelmen generally must look with disfavor upon the outcome of the convention Fair-minded men will condemn the exclusion of colored men.”), while the *Chicago Record* asked, “Does the desirability of securing a few thousand more white wheelmen justify the gratuitous exclusion of a worthy race?” [Smith, Robert A., *A Social History of the Bicycle*, American Heritage Press, 1972, p. 162-163]

In reaction to the decision, the L.A.W.’s magazine, *Good Roads*, carried an editorial in the April 1894 issue titled “The Colored Man and the League.” The author began:

The principal thing which most people know about the above subject is that by a

vote of the National Assembly at Louisville, the “colored brother” was prohibited in future from becoming a member of the L.A.W. Like all radical measures this action was hissed and applauded by the public according to the various shades of belief.

The author had opposed the “white” amendment a year earlier, but had changed his mind by the time of the vote in 1894. The issue was whether the L.A.W. was a political organization:

It will some day come to be considered purely a political party and when that time comes there can be no doubt as to the advisability of admitting to membership any respectable person of whatever race. At present the League contains a number of young men who feel and not without reason, that the L.A.W. is a sort of fraternity, the different members of which are in some way definitely positioned with relation to each other. The existence of this feeling especially in the South, where the race prejudice is very strong, made the Southern white wheelman indifferent if not actually antagonistic to the organization so long as the black man was permitted to enjoy the same privileges as himself, while it does not appear that any considerable number of colored wheelmen really availed themselves of the advantages of membership.

Many of the men who do the thinking for the League came to believe that by his exclusion the negro would suffer but little while the League as a whole might be greatly benefitted. It was represented that many white wheelmen at [sic] the South would at once come in if the change were made, who certainly would not otherwise. It was known that a few at the North would withdraw, but it was hoped that after a complete readjustment had taken place the L.A.W would find itself stronger than before.

Many members, the editorial stated, believed that “the average colored man does not come up to the standard of intelligence which we would like to see him attain.” Education, particularly “in so far as related to his conduct on the road,” was one reason the editorial offered for encouraging their participation in the movement, if not membership in the L.A.W. Given the importance of the L.A.W.’s publications in the cause of education, the editor offered a subscription to the monthly *Good Roads*, normally \$1 a year (50 cents to members), to “any colored wheelman who would join the League if he could” for the membership price of 50 cents “on receipt of his written statement as to the above facts.” The editorial concluded:

We would especially like to hear from any League member who sees an objection to our making this concession to the “colored brother.”

Not all clubs excluded African-Americans, as Smith illustrated:

Some local clubs already had black members. One was the Post Office Cyclers of Newark, New Jersey. The postal riders had been invited to participate in a bicycle

run sponsored by another club, but when the latter organization discovered the postal crew had a black member, Mr. L. A. Sears, it withdrew its invitation. The Post Office Cyclers in turn unanimously elected Mr. Sears club president. But incidents like this did not stop discrimination, and the usual result was that Negroes organized their own cycling clubs. To point a moral, a Brunswick, Georgia, cycle club for black women ceremoniously excluded their white sisters from membership. [*Social History*, p. 162-163]

Some bicycle clubs and some African-Americans ignored the racial bias:

Apparently the amendment was ignored by some. Miss Kitty Knox from the all-black Riverside Cycle Club of Boston showed up at the LAW's meet in Asbury Park [New Jersey] in 1895. She was the focus of all attention when she did a "few fancy cuts" in front of the clubhouse, and that night Miss Knox seems to have been the belle of the ball. The next day the newspapers said that local grumblers were going to get the LAW to look into the fact that Miss Knox had held a membership card for the last six years.

Not all cycling groups followed the LAW's lead, however. The Illinois branch of the American Cycling Road Association, an independent group, did not draw the color line, and when some members insisted that the organization do so, the officers said that such a position would be a violation of the Constitution. In 1896, when several riders threatened to pull out of the Pullman Road Race if the all-black Douglass Club sent a racer, officials responded that they would not only allow the man to enter, but that they would see that he got fair treatment. In 1897 a black man finished the race, so obviously the color line was not drawn. [*Social History*, p. 163-164]

(The Pullman Road Race began in 1883, and changed formats and courses over the years. In general, as in 1896-97, it featured hundreds of racers on an 18-mile course that began in Chicago at the corner of Michigan Avenue and Jackson Street, continued through Washington Park, the Midway Plaisance, and Jackson Park, then on to the village of Pullman.)

In part, the debate arose because of bicycle racing. Virtually from the introduction of the ordinary in the 1870s, bicyclists began racing. *Harper's Weekly* magazine reported that in 1878, Will Pitman won the first 1-mile bicycle race in the United States. Bicycle racing—road races and track competitions—would become one of the country's most popular sports, with extensive coverage in newspapers helping to make the top racers national celebrities.

Initially, the racers were amateurs. For a race to be fair, each competitor had to be on even footing, but the term "amateur" quickly became blurred as the popularity of the sport grew. Claiming a racer was an amateur became more difficult when prizes were awarded, racers were sponsored by clubs or bicycle manufacturers, and racers began touring the country to compete in races.

The L.A.W. took on the role of determining who was, and wasn't, an amateur. Over time, the L.A.W. found the task of overseeing the rules of bicycle racing more challenging with increases in the popularity of the sport, the notoriety of the racers, and the size of the prizes. In 1893, the L.A.W.'s racing committee tried to resolve the issues by dividing racers into three categories: Class A, Class B, and Professional:

- The Class A was a true amateur who could accept nothing in return for his efforts, not even a token prize.
- The Class B amateur could accept pay from sponsors, such as bicycle manufacturers, who paid his expenses as he traveled to races around the country.
- Professionals were full competitors in it for the money and fame.

Controversies over the fairness of the races, including the participation of African-Americans, would continue for years, even after the L.A.W., diminished in membership and authority, abandoned its role in racing in 1900. [*Social History*, p. 144, 151-155]

Marshall “Major” Taylor

One of the greatest professional racers was an African-American named Marshall “Major” Taylor, born in Indianapolis in 1878. He rode his first bicycle, borrowed from a white friend, at the age of 8. When he was 12, Taylor took a job cleaning a bicycle shop. Soon, he was giving trick-riding exhibitions to earn money on the side. The military uniform he wore during the exhibitions earned him the nickname “Major,” and it stayed with him throughout his life.

A bicycle salesman, H. T. Hearsey, entered Taylor in the 75-mile Indianapolis-Mathews Road Race in 1893. His entry was kept secret because Taylor had previously antagonized white bicyclists, as Smith explained:

A few months before, one of the cracks [fast riders] of the day, Walter Sanger, had set a new record of two minutes and eighteen seconds for the mile. Encouraged and paced by his white friends, Taylor had followed this by lowering the time to two minutes and eleven seconds, a feat that apparently caused him to be barred from racing in Indianapolis. As a result, the manager of the Indianapolis-Mathews Race was afraid the white riders would not race if they knew Taylor was entered.

Further to avoid problems, Taylor let the other contestants start while he remained on the sidelines. They were miles ahead before he crossed the starting point. Despite jeers from some observers, he soon caught and passed the white contestants and won first prize.

Taking white racer turned manufacturer Birdie Munger as his manager, Major Taylor moved to Worcester, Massachusetts, to get away from the prejudices of Indianapolis. He soon won first prize, a gold watch, in an L.A.W.-sponsored race in New Haven:

It must be pointed out that the LAW's attitude toward blacks at this time was ambivalent; it would not allow them to join, but it would allow them to race, an act of hypocrisy that was frequently pointed out to the organization.

Despite his skill, Taylor found that prejudice would hinder his efforts. In a New Jersey race from Irvington to Milburn, he was pacing the leader, a white man whose manager came out of the crowd and threw a bucketful of cold water in Taylor's face. He soon learned to stay in the pack for much of the race, then take the lead near the end with a last burst of speed. In New York City, Taylor turned professional in 1896 at Madison Square Garden, capturing fans' attention by beating better known competitors in the Half-Mile Handicap.

Through the remainder of his racing career, Taylor would face racial obstacles:

Taylor was subject to more than his share of roughneck riding. His competitors pocketed him at every opportunity, ran him wide on the curves, and fouled him repeatedly. He placed second in a race at Trenton, New Jersey, in 1897, only to have the third-place rider come up afterward and start strangling him. The police interfered, but Taylor remained unconscious for a quarter of an hour and was unable to finish the day's racing. *The New York Times* roundly condemned the culprit, who claimed that Taylor had ridden him into the fence. The *Times* also contended that while the majority of the white riders deplored the assault on Taylor, they "had approached the limits of fair riding in attempting to get an advantage over the colored lad." A Boston paper was more direct, saying that the other riders had deliberately tried to "throw" Taylor, that "the same dirty tactics have following the plucky little colored rider all around the circuit," and that it was "to the everlasting discredit of the men who are in on the schemes."

At times, his life was threatened before races. He tried to get out of these races, but if he could not, he would stay behind the pack out of the competition.

In 1897, he was competing head-to-head with the white racer, Eddie "Cannon" Bald, for first place in the national rankings, but was kept out of late races in St. Louis and Baltimore as a result of an apparent conspiracy against him. He came in second in the national rankings.

In 1898, he started the season under the sponsorship of the Iver Johnson Cycle Company. He was ranked 10th nationally when he won the 1-mile sprint at Asbury Park. To his surprise, many of the top white racers congratulated him, something they had never done. However, when he swept the professional races in Green Bay, Wisconsin, the local papers acknowledged the prejudice against him:

"If it were possible to make him all white," the paper commented, "all the boys would gladly assist in the job." However, it was predicted that it would be almost impossible to keep "this little negro boy who came into the cycling world entirely

unheralded from winning the cycle championship of America in the season of 1898.”

Later that year, Taylor participated in a match race at the Manhattan Beach Race Track on August 28 against one of the most celebrated middle-distance racers of the day, Jimmy “Midget” Michael. Before thousands of spectators, the two racers split the sprints, meaning that the \$5,000 prize would go to the winner of the final heat. When Taylor easily won against his winded opponent, *The New York Times* called him the premier sprint racer in the world. The L.A.W. declared Taylor the national champion in 1898.

Taylor dominated races throughout 1899, setting records for many of the sprint distances up to 2 miles. In August, he entered his first international race in Montreal. He won the 1-mile and 2-mile opens, and would probably have won the 5-mile open but someone punctured one of his tires before the race. He was the first African-American bicycle racer to become an international champion.

His acceptance on the international stage did not mean he would be accepted in the United States:

Four days later he was in Boston to race in the LAW championship races. The field ganged up on the black rider and kept him in a pocket most of the time, and Taylor was beaten by Tom Butler in the One-Third-Mile Sprint and again by Butler in the One Mile for Professionals.

Because of such tactics, Taylor would not win the national championship in 1899, but in 1900, no one could stop him from dominating. “Taylor was proclaimed the national cycling champion with no conflicting claims from anybody.” [*Social History*, p. 164-168]

Taylor toured Europe in 1901, then raced almost continuously in the United States, Europe, and Australia through 1904 as the popularity of the sport and bicycling in general declined. During this period, he was treated as an international celebrity in other countries, one of the most famous African-Americans in the world. Biographer Andrew Ritchie said of Taylor:

During those . . . years, Taylor engaged in a practically uninterrupted epic journey as the most celebrated, best-paid sprinter in the hotly contested hugely popular sport of professional bicycle racing. Paris was his adopted European home, and he was one of the brightest stars of the flood-lit races regularly promoted . . . on weekday evenings at the famous Buffalo velodrome in Paris. [The Vélodrome Buffalo was named after Buffalo Bill Cody, whose Wild West and Congress of Rough Riders of the World performed there.]

He spent brief periods at home in Worcester to rest and recuperate, but for much of the time he lived in luxury hotels and fine boarding houses in Paris and the

other cities he visited. He slept frequently in first-class accommodations on trains and boats, raced wherever his promoters scheduled him, and performed in a grueling succession of top-class races against all the world's best sprinters.

His color, which stood in his way in America, was the foundation of his appeal and attraction all over the world, and his speed and style continued to thrill spectators in every country he visited. During these . . . years, Taylor was probably the world's most sought-after athlete and almost certainly the most traveled sportsman in the world. He was, without a doubt, the world's most illustrious black athlete

Wherever Taylor traveled abroad, he was treated as an international celebrity. As he was leaving New York on March 25, 1902, he was visited by a delegation of black students headed by Booker T. Washington, who came to wish him well on behalf of black Americans. On board the *Kaiser Wilhelm der Grosse* on that trip, he kept company with Henri Fournier, the famous French racing driver, and Albert Clement, the automobile pioneer. His fame as a racing cyclist preceded him, and there were always crowds to welcome him and cheer him on. Everywhere he visited, civic dignitaries gave him the red-carpet treatment. [Ritchie, Andrew, *Major Taylor: "The Fastest Bicycle Rider in the World,"* Cycle Publishing, 2nd edition, 2010, p. 136]

Even in Australia, which had legislated a "white Australia" policy that rendered non-white people (mainly the aborigine population) as outcasts, Taylor was hailed during his first visit in 1902. As his ship arrived, people on hundreds of boats greeted him by chanting through megaphones: "Taylor, Taylor! Welcome Major Taylor!" He and his wife were treated like royalty, able to break the color bar because of the popularity of his sport and the renown of his skills:

The racing during this first Australian tour was a spectacular athletic and commercial success. As in Europe, even Taylor's training sessions were attended by fans avid for a chance to see the champion at work. Crowds of twenty thousand people crammed into tracks in Sydney, Melbourne, and Adelaide to greet "the Worcester Whirlwind" with rapturous applause.

He was the idol, the hero of the moment, as he took on the leading Australian champions Spectators paid a shilling each for the privilege of seeing him race. To most observers it was obvious that, in a straight sprint, unhampered by unfair opposition and teaming, Taylor simply outclassed his rivals. Everywhere in Australia people who met him were impressed by his gentlemanly behavior. [*Major Taylor*, p. 138]

By then, he had practically abandoned racing in the United States, where the leading white racers regularly worked together against him. In 1901, as he competed for the American championship, they were determined to dethrone the man who had beaten the best Europe had to offer:

More than ever before, they collaborated tactically to prevent him from winning. They pocketed him, fouled him, and worked together in every possible way to defeat him. It was a return to the same athletic and racial hostility he had encountered in America before.

It was Major Taylor against the rest. Only in two-man match races could he be guaranteed a race without a combination working against him. Nonetheless, with his expert tactical sense and his extraordinary agility and speed, he continued to win. The supercharged atmosphere of the racing that reason made it all the more exciting for the spectators, of course, based as it was on such genuine and evident bad feelings between Taylor and his white opponents The abuse directed at Taylor was coarse and unrelenting. It would undoubtedly have resulted in brawling and fighting had Taylor not been a determined pacifist. [*Major Taylor*, p. 133]

Despite his status as a champion racer, Taylor was always aware that he was subject to the prejudices of the day. In 1898, for example, he had raced in Savannah, Georgia, a city selected as potentially the safest place in the South because African-Americans outnumbered whites. His arrival almost immediately caused a problem when he entered the boarding house where a room had been reserved for him:

Discovering that the newly arrived guest was black, the other boarders threatened to leave in a body if he was permitted to stay. Other lodgings were found with a black family on Lincoln Street.

But Taylor's troubles were just beginning. When he arrived at the track at Wheelmen's Park, the owners and other cyclists would not permit him or his white pacemakers to ride. The problems [his manager Willis] Troy had anticipated were not to be overcome easily.

With the track unavailable to him and his fitness for the coming season at stake[,] Taylor began to train on the road. Here, too, he soon discovered, he was unwelcome. Local cyclists began to complain, especially because Taylor had no trouble leaving them all behind. It was one thing to see a well-equipped "Negro" on a fine racing bicycle with his white pacemakers training on "their" roads; it was another when this nineteen-year-old upstart "mingled" with them, beat them on their home ground, and threw dust in their eyes. What began as a curious rivalry became, in the racial climate of the time, an effrontery. Taylor's presence became a provocation the white riders found impossible to ignore.

One day, training alone on the Louisville Road, he saw three white riders up ahead. He fell in behind them, but they told him they would not "pace" an African-American (using a different term, of course). "Alright then," Taylor told them, "if you won't pace me, I'll pace you." He sprinted around them and led them on a chase back to town and through Savannah's principal streets. The next day, Taylor received a letter warning him to get

out of town in 48 hours, signed “White Riders.” Taylor knew he had provoked the white population with his actions at a time when African-Americans had few protections in the South. Moreover, southern feelings were already on edge because in February, President William McKinley had appointed an African-American, *Savannah Tribune* publisher John H. Deveaux, to the office of Collector of the Port of Savannah. Taylor and Troy returned to New York. [*Major Taylor*, p. 63-64]

Now, in 1901, Taylor still faced racial tension even after his European triumphs:

Finding a hotel room while touring [in the United States] was still not always easy, in spite of Taylor’s prestige.

A bitter experience at the Vanderbilt Hotel in Syracuse, New York, brought the difficulties home to him. He entered the hotel but before going to the front desk to register, took a few moments to write a letter. A bellboy asked him to leave, but when Taylor did not do so, a clerk appeared. “What are you doing there at that desk? Get out of here!” Taylor tried to explain who he was, but the clerk responded, “Get out of here or you’ll be kicked out.” Taylor left, but also was refused a room at the Yates House. He finally found a room at the St. Cloud Hotel:

In all his travels in America and Europe he had never been hurt more personally than by his treatment in Syracuse. Coming so soon after he had been idolized in Europe, such treatment was especially shocking and jarring to his sophisticated, expanded awareness. [*Major Taylor*, p. 134]

His world tours were a relief from some of the problems of Jim Crow America.

By 1902 and 1903, Taylor was thinking of retiring even as the sport was declining in popularity. However, he agreed to a second lucrative Australian tour in 1904. This time, promoters invited his primary white rivals from the United States to make the competition more interesting. They used their typical tactics to block Taylor, while Australian racers saw no reason to cooperate with him to block some of these efforts since they would not share in Taylor’s pay. In a match race in Melbourne, one of the rivals caused Taylor to crash, leaving him stunned, bruised, and lacerated.

These activities made Taylor all the more popular with the Australian public, which attended his events in great numbers. Over 32,000 people attended a race at the Sydney Cricket Ground. However, the experience left Taylor bitter. Not only were his competitors blocking him, but officials’ decisions were frustrating him. Many of the races were “inconclusive, spoiled as they were by bad judges’ decisions, refusals to appear, and the muddle of frequent official inquiries and the withholding of prize money.” By the time Taylor left Australia, he had decided never to return:

Ultimately, the public were deeply disappointed by the disputes, the confusion, and the chaos that spoiled Australian bicycle racing that year and often made it

impossible for Taylor to give the stunning performances for which he was noted.
[*Major Taylor*, 143-144]

Taylor would retire for several years, prompting a lawsuit for breach of contract and suspension for life by the National Cycling Association. He would return in 1908 for the French racing season. He had some success, but when he returned in 1909, he realized that after his years of grueling competition, his body would no longer let him race as in the past. He retired in 1910.

His later years were difficult, as his fame and fortune declined. He was eclipsed by other athletes, including John Arthur “Jack” Johnson, the first African-American boxing champion (1908-1915). Major Taylor wrote an autobiography, *The Fastest Bicycle Rider in the World: The Story of a Colored Boy’s Indomitable Courage and Success Against Great Odds*. When he could not find a publisher, he published it himself, then traveled around the country selling copies.

In 1930, estranged from his wife and daughter, Taylor moved to Chicago with unsold copies of his autobiography in the car. He fell into the city’s impoverished African-American neighborhood and died there on June 21, 1932, at the age of 53. He was buried in the welfare section of the Mount Glenwood Cemetery, a Jim Crow cemetery 30 miles from Chicago. (In 1948, his remains were moved a more prominent location in the cemetery.)

Today, Major Taylor is little known outside bicycle racing circles, but Ritchie’s book is one of several about his life. A 4-hour television mini-series, *Tracks of Glory*, made in 1991, told the story of his life, with Phil Morris (best known at the time for his role as Grant Collier in the TV series “Mission: Impossible”) portraying Taylor.

Plessy v. Ferguson

In 1890, Governor Francis T. Nicholls of Louisiana approved the Separate Car Act, which required white passengers to travel in white rail cars, while African-Americans were restricted to “Colored Only” cars. Governor Nicholls was one of many southern Democratic leaders who had pledged to maintain civil rights policies after the departure of Federal troops as part of the presidential compromise of 1876. During his first term (1877-1880), Nicholls had fostered good feelings among the races. By the time of his second term (1888-1892), he no longer felt bound by his pledge as the Supreme Court eroded protections for African-Americans and public attitudes changed.

A critical test of the Separate Car Act occurred on June 7, 1892, when 30-year old Homer Plessy, an African-American, walked to the Press Street railroad depot in New Orleans. He bought a first class ticket to Covington on the train that would depart at 4:15 p.m., cross Lake Pontchartrain, and arrive in Covington 2 hours later. Plessy took a seat in the car reserved for whites.

As the train began moving, the conductor informed Plessy that he would have to move to

the “colored” car. Plessy refused, indicating he had bought his ticket and expected to be taken to Covington.

The incident was not random. A group of New Orleans citizens had decided to challenge the law. Plessy had been selected because his light skin probably would have let him ride in the “whites only” car without challenge. By agreement with the East Louisiana Railroad, after the conductor and Plessy had completed their planned interaction, the conductor signaled to stop the train. A private detective hired by the citizens group warned Plessy that he was subject to arrest. When Plessy refused to move, he was taken to Elysian Fields Avenue for booking at the 5th Precinct Station. He was soon released on bond to assure he would appear for trial. The bond was \$500, paid by a member of the citizens group.

At the trial, Judge John Howard Ferguson ruled that the State had a legal right to regulate railroad companies operating solely within its borders. He also denied that Plessy had been deprived of his liberty. “He was simply deprived of the liberty of doing as he pleased, and of violating a penal statute with impunity.” The State Supreme Court concurred in Judge Ferguson’s decision.

By the time *Plessy v. Ferguson* reached the Supreme Court in 1896, seven Justices from the Reconstruction era had been replaced in the preceding decade. African-Americans were increasingly pessimistic that their rights would be upheld, prompting some prominent leaders, including Booker T. Washington, to focus on finding ways to succeed within the constraints of Jim Crow restrictions.

The Supreme Court ruled, 7 to 1 (one Justice did not participate in the ruling), on May 18, 1896, that laws segregating the races on a separate-but-equal basis were constitutional. In a ruling written by Justice Henry Billings Brown, a Massachusetts native who lived in Michigan, the court rejected the view that the State law violated the 14th Amendment. The test of constitutionality was the “reasonableness” of segregation laws. In determining reasonableness, legislators were “at liberty to act with reference to the established usages, customs, and traditions of the people, and with a view to the promotion of their comfort, and the preservation of the public peace and good order.”

Justice Brown rejected the argument that the Separate Car Act implied that African-Americans were an inferior race. “If this be so, it is not by reason of anything found in the act, but solely because the colored race chooses to put that construction upon it.” He also disagreed that “social prejudices may be overcome by legislation, and that equal rights cannot be secured by the negro except by an enforced commingling of the two races.” He added that legislation “is powerless to eradicate racial instincts or to abolish distinctions based upon physical differences.”

Justice John Marshall Harlan of Kentucky cast the lone dissenting vote. A one-time slave-owner, Harlan had opposed secession and fought in the Union Army during the Civil War, but also opposed emancipation of the slaves and the civil rights protections accorded the freedmen after the war. However, he renounced these views in reaction to

the excesses of the Ku Klux Klan, and became a Republican in 1869. President Hayes appointed Harlan to the Supreme Court in 1877. Woodward said of him:

After his conversion Harlan became one of the most outspoken champions of Negro rights of his time, and during his thirty-four years on the bench he lifted his voice repeatedly against denial of those rights by the dominant opinion of the Court. [Birth, p. 102]

In his dissent, Justice Harlan argued that the Separate Car Act discriminated against African-Americans in violation of the 13th and 14th amendments:

But in view of the constitution, in the eye of the law, there is in this country no superior, dominant, ruling class of citizens. There is no caste here. Our constitution is color-blind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law We boast of the freedom enjoyed by our people above all other peoples. But it is difficult to reconcile that boast with a state of law which, practically, puts the brand of servitude and degradation upon a large class of our fellow citizens,-our equals before the law. The thin disguise of “equal” accommodations for passengers in railroad coaches will not mislead any one, nor atone for the wrong this day done.

Justice Harlan predicted that the court’s ruling “will not only stimulate aggressions, more or less brutal and irritating, upon the admitted rights of colored citizens, but will encourage the belief that it is possible, by means of state enactments, to defeat the beneficent purposes which the people of the United States had in view when they adopted the recent amendments of the constitution” If separate-but-equal was acceptable on railroads, he asked, what would keep States from enacting laws that required white citizens and African-Americans to walk only on alternative sides of the street, or apply similar restrictions to streetcars and other vehicles, and to courtrooms, juries, or legislatures? “In my opinion, the judgment this day rendered will, in time, prove to be quite as pernicious as the decision by this tribunal in the Dred Scott Case.”

Having found that equal but separate facilities were acceptable, the Supreme Court returned the case to the lower court for sentencing. On January 11, 1897, Judge Joshua Baker (Ferguson had stepped down in 1896) accepted Plessy’s guilty plea and fined him \$25. As author Keith Weldon Medley put it, Plessy “walked out into the brave new world of a segregated Louisiana.” [Medley, Keith Weldon, “The Sad Story of how ‘Separate But Equal’ Was Born,” *Smithsonian*, February 1994, p. 105-117]

Although *Plessy v. Ferguson* is now viewed as one of the Supreme Court’s most disgraceful rulings, contemporary observers took little notice of it, in part because of the series of earlier rulings on civil rights issues. Woodward summarized the reaction:

[The] country as a whole received the news of its momentous decision upholding the “separate but equal” doctrine in relative silence and apparent indifference. Thirteen years earlier the Civil Rights Cases had precipitated pages of news

reports, hundreds of editorials, indignant rallies, congressional bills, a Senate report, and much general debate. In striking contrast, the *Plessy* decision was accorded only short, inconspicuous news reports and virtually no editorial comment outside the Negro press. A great change had taken place, and the Court evidently now gave voice to the dominant mood of the country. [Birth, p. 103]

Professor Harvey Fireside, in a book about *Plessy v. Ferguson*, agreed that the decision “caused scarcely a ripple when it was announced.” He explained:

The next day’s *New York Times* relegated it to page 3 of its second section, where it was in company with the railroad news. The *Times* briefly reported the Court’s validation of the Louisiana segregation law for railroad travel, noting merely two of the grounds on which the opinion was based: that the law applied only to a railroad operating entirely within the state (so did not involve the interstate commerce powers of Congress), and that the cited precedents included federal and state laws permitting the establishment of “separate schools for children of the two races.” [Fireside, Harvey, *Separate and Unequal: Homer Plessy and the Supreme Court Decision that Legalized Racism*, Carroll and Graf Publishers, 2004, p. 224-225]

Justice Harlan’s prediction of the consequences of the ruling proved accurate. Prior to *Plessy v. Ferguson*, separation of passengers on railroads had been the most common form of segregation, but it was not universal in the South. Woodward explained:

South Carolina did not adopt that until 1898, North Carolina in 1899, and Virginia, the last, in 1900. Only three states had required or authorized the Jim Crow waiting room in railway stations before 1899, but in the next decade nearly all of the other Southern states fell in line. The adoption of laws applying to new subjects tended to take place in waves of popularity. Street cars had been common in Southern cities since the ‘eighties, but only Georgia had a segregation law applying to them before the end of the century. Then in quick succession North Carolina and Virginia adopted such a law in 1901, Louisiana in 1902, Arkansas, South Carolina, and Tennessee in 1903, Mississippi and Maryland in 1904, Florida in 1905, and Oklahoma in 1907. These laws referred to separation within cars, but a Montgomery city ordinance of 1906 was the first to require a completely separate Jim Crow street car. During these years the older seaboard states of the South also extended the segregation laws to steamboats Only a sampling is possible here. For up and down the avenues and byways of Southern life appeared with increasing profusion the little signs: “Whites Only” or “Colored.” [*Strange Career*, p. 81-82]

As Fireside illustrated, “*Plessy* was seen throughout the South as an invitation to treat African Americans virtually as lepers.” [p. 224] The races would be kept “separate,”

but “equal” was another matter:

In transportation most trains would not admit black passengers to Pullman sleeping cars, dining cars, or club cars. When baggage and mail cars were added behind the locomotive, a Jim Crow car invariably followed (or was de facto half of the baggage car). Its dingy interior, lack of heat or carpeting, and filthy toilet were a far cry from the quality coaches designed for whites. Nor was there complete racial separation, since whites who smoked or drank, as well as shackled prisoners accompanied by guards, were routinely found in the Jim Crow car. [*Separate and Unequal*, p. 230]

William A. Grant

On February 25, 1904, the U.S. Office of Public Road Inquiries hired William Alphonso Grant as a Student Assistant in the Bureau of Chemistry’s Road Material Laboratory. He was 19 years old, having been born on November 26, 1885. Grant would earn \$25 per month or \$300 annually.

The second line on the personal-statement sheet for all new employees of the U.S. Department of Agriculture was: “White or colored?” Grant wrote in the blank: “Colored.” Grant may have been the agency’s first African-American employee, but that cannot be determined. If not the first, he was one of the first.

At the time, Grant was a legal resident of Cincinnati, Ohio, although he graduated from Armstrong High School in Washington. He had taken technical courses in high school and lived at 1220 Niagara Street in Ft. Stevens, in the Brightwood area of northwest Washington. (Brightwood had been known as Vinegar Hill when it was founded in the early 19th century by free African-Americans.) His father Edward was a florist.

Grant became a permanent employee on July 1, 1905, though still with a salary of \$300 per year in the Bureau of Chemistry. In June 1907, he received a promotion to \$40 per month (\$480 per year).

At the time, the laboratory offered free testing of rock samples submitted by officials around the country to determine their adequacy as a road material – one of the agency’s most popular functions. According to an article in the agency’s inhouse newsletter years later:

His first assignment was as a student assistant testing cement and aggregates for concrete under Dr. Alton B. Cushman, assistant to Logan Waller Page who was in charge of the laboratory. [Page would head the agency from 1905 until his death in 1918.] The entire office [of Public Road Inquiries] comprised some 20 people . . . The laboratory was located at 14th and B Street, S.W., across the street from the old Bureau of Printing and Engraving Building.

Soon after Mr. Grant's entry into the service, Mr. Page arranged for him to receive special training in the Office of the Geological Survey where he learned the technique of making, polishing, and mounting thin sections of mineral and rock specimens for petrographic study and classification. The preparation of these slides and other types of special rock specimens has been his responsibility since that time.

Throughout his career, Grant held such titles as Laboratory Helper, Laboratory Aid, Assistant Scientific Aid, and Scientific Helper. By the 1940s, his work had shifted to the agency's Abingdon Research Station in Arlington, Virginia. He lived at 1740 13th Street, NW., with his wife Maude E. Ross Grant. They had four daughters. In a form he filled out around this time, he listed his height as 5 feet 3 inches, weight as 137 pounds, and hair color as gray.

In approximately 1950, he filled out an Experience and Qualifications Sheet. At the time, he was a GS-5 earning \$3,850 a year working in the Research Lab at Gravelly Point, Virginia (essentially where Ronald Reagan National Airport is located). His work was described in the language of personnel forms, leaving the first person pronoun out:

Under general supervision of professional employees, prepare test specimens and makes physical tests of rock. These tests include abrasion, hardness, compression, specific gravity, absorption and soundness. Specimens for compression and toughness are prepared by drilling cores from a sample of ledge rock, using a diamond drill; sawing the ends with a diamond saw in order to provide the cylindrical specimens of the required length and grinding the ends of the specimens in order to insure smooth surfaces. Tests are conducted in accordance with established procedures.

Employee is also required to prepare microscopic rock slides for the use of the Petrographer. This is done by selecting an area representing an average part of the sample. This area is then ground on one side until the surface is entirely free from scratches, after which the sample is mounted on a glass surface coated with balsam. The other side of the specimen is then ground to a transparent thickness, after which it is also covered with a glass.

Due to long service in the laboratory, is frequently called upon to make minor repairs on the apparatus used in the laboratory.

Computations are all checked by superior for mathematical accuracy and conformity to procedures before reporting on the results.

Guides followed are laboratory practices, established methods of procedures and oral instructions.

Contacts are confined to employees of the laboratory.

By 1955, Grant's title was Engineering Aid (Civil), with a salary of \$4,750 per year. On November 26, 1955, he reached the mandatory government retirement age of 70. Under the provisions of the Retirement Act, his employment terminated on November 30, 1955, by which point he had served with the agency for 51 years, 9 months, and 6 days (counting from his permanent employment beginning in July 1905).

The inhouse article, cited earlier, about his retirement appeared on page 1 of *The News in Public Roads*. With a "record of service exceeding that of anyone in the Bureau," the article said, Grant had performed with distinction:

His patience and skill in [his] work have contributed materially to the quality and value of the research that has been done by the Bureau on the description and classification of road-building rocks.

Mr. Grant holds a unique place in the respect and affection of his associates. The importance of doing his work conscientiously and with pride in the result has always been his principal concern. ["51 Years of Service," *The News in Public Roads*, November 1955]

Grant's coworkers staged a farewell ceremony for Grant in one of the Bureau of Public Roads' laboratories west of the airport.

Commissioner of Public Roads C. D. Curtiss had personally commended Grant upon his 50th anniversary. Secretary of Commerce Sinclair Weeks, whose department housed the Bureau, sent Grant a congratulatory letter dated December 31, 1955:

It is indeed heartwarming to me to hear of such a splendid record as yours. I want you to know that your many years of faithful service are deeply appreciated. Your constant diligence in performing the duties assigned to you and your steady attention to your work have been most beneficial to the Bureau of Public Roads.

The Evening Star newspaper also noted the retirement of "William A. Grant, colored," saying of him:

The engineering aide seldom let the passage of years slow him down or keep him from his work. When the day of his retirement arrives, he will have accumulated more than 1,000 hours of sick leave which, he said, "I just never needed."

Mr. Grant, a frugal man, raised four daughters, two of them District school teachers, one a mother of four children and the other, Miss Thelma Grant, his housekeeper. Mr. Grant's wife died in 1948.

Retirement will not mean the end of Mr. Grant's active life. He hopes to devote his time to his favorite hobbies, which he lists as his grandchildren, gardening and baseball, in that order. ["Bureau of Roads Aide Retiring After 50 Years," *The Evening Star*, November 26, 1955]

William Alphonso Grant, 80 years old, died on August 20, 1966, at Freedmen's Hospital in Washington, D.C., after a brief illness. At the time, he had eight grandchildren and five great-grandchildren.

Woodrow Wilson

As Jim Crow laws mushroomed in the wake of *Plessy v. Ferguson*, African-Americans saw hope in the presidential campaign of Governor Woodrow Wilson of New Jersey in 1912. According to Wilson biographer Arthur S. Link, African-Americans strongly supported Wilson for President in the hope that he would treat them with compassion. In supporting Wilson, African-Americans had to overlook the fears raised by his Virginia birth. They also had to overlook the fact that as president of Princeton University he had prevented African-Americans from enrolling and that as a professor, university president, and Governor of New Jersey, he had never "lifted his voice in defense of the minority race," as Link put it.

At one point, he released a statement to the National Colored Democratic League assuring the members that he opposed "unfair discriminating laws against any class or race" and believed "that the qualifications for voting should be the same for all men." He added:

I want to assure them through you that should I become President of the United States, they may count upon me for absolute fair dealing and for everything by which I could assist in advancing the interests of their race in the United States.

When Oswald Garrison Villard, one of the founders of the National Association for the Advancement of Colored People (NAACP), visited Wilson shortly after the inauguration, the President seemed interested in Villard's idea of a National Race Commission to study race relations. A few months later, however, Wilson tried to avoid meeting with Villard again, but finally wrote to him. Link summarized:

Wilson had to tell him that the political situation was too delicate for any such action, that the appointment of the Commission would incite the resentment of Southerners in Congress, whose votes he needed for the success of his legislative program.

Villard's disappointment over Wilson's abandonment of the Race Commission was nothing, however, compared with his consternation at the way in which Southern race concepts gained ascendancy in Congress and in the administration. Southerners were riding high in Washington for the first time since the Civil War, demanding segregation in the government departments and public services and the dismissal or down-grading of Negro civil servants.

In 1913, Wilson took no action to stop his departments from segregating African-Americans from their white counterparts, dismissing those who objected, and

downgrading others. Link quoted the Collector of Internal Revenue in Georgia as announcing, "There are no Government positions for Negroes in the South."

Here is Link's view of Wilson:

The truth is that, although he never shared the extreme anti-Negro sentiments of many of his contemporaries, Wilson remained throughout his life largely a southerner on the race question. He had an extravagant and romantic love for the South, which increased in direct ratio to his absence from the region As a matter of fact, [the first] Mrs. Wilson [who died in August 1914] felt much more strongly about drawing the color line than did her husband, but both were opposed to social relations between the races

Link offered a limited defense of Wilson:

Throughout his incumbency, Wilson stood firm against the cruder demands of the white supremacists, but he and probably all of his Cabinet believed in segregation, social and official.

Citing some of Wilson's writings on the subject before he became President, Link said:

This is not to argue that Wilson during this period was an ardent champion of civil and political rights for the Negro. It is only to say that he held views very advanced in the South at this time and that he absorbed these views, not from the South, but from the nonsouthern academic environment in which he matured.

And again:

The last area in which southern influence was decisive in determining the policies of the Wilson administration was the federal government's policy toward Negroes. Here the southern contribution was definitely retrogressive and proved that it was impossible for white southerners of all shades of opinion to get much beyond the rationale of slavery. Suffice it to say that Wilson practically sacrificed the Negroes on the altar of political expediency, by allowing segregation in the government departments, dismissal and downgrading of Negro civil servants in the South, and the like, in order to win southern support for his program. [Link, Arthur S., "The Negro as a Factor in the Campaign of 1912," *The Higher Realism of Woodrow Wilson and Other Essays*, Vanderbilt University Press, 1971, and *Woodrow Wilson and the Progressive Era 1910-1917*, Harper and Brothers, 1954, pages 64-66.]

Author Jerrold M. Packard provided a less measured view of Wilson. He "wasn't a particularly vicious racist, but rather an intellectually convinced white supremacist who practiced the racial mores of his upbringing." Although he had courted the African-American vote and received more than any previous Democrat, he brought with him "not racial justice but instead Southern power and with it Southern racial mores." His

segregation of the Federal workforce “resulted in weakening this exceptionally hard-won black presence in government.” He appointed racist southerners to his Cabinet who “zealously followed their boss’s lead.” The entire workplace—work stations, cafeterias, rest rooms—was segregated. [Packard, Jerrold M., *American Nightmare: The History of Jim Crow*, St. Martins Griffin, 2002, p. 124]

President Wilson would sign the Federal Aid Road Act of 1916 on January 11, 1916, launching the Federal-aid highway program. The bill illustrated the dominance of southern officials. The draft of the bill had been crafted by a committee of the American Association of State Highway Officials meeting in Oakland, California, on September 11, 1915. The members were

George P. Coleman, Chairman, Virginia.
 W. D. Sohler, Massachusetts.
 Thomas H. MacDonald, Iowa.
 E. A. Stevens, New Jersey.
 Lamar Cobb, Arizona.
 Joseph Hyde Pratt, North Carolina
 Henry G. Shirley, Maryland.

(President Wilson was a friend of Stevens and, while serving as Governor, had appointed him State Highway Commissioner.)

Logan Page, a Virginia native who headed the U.S. Office of Public Roads in the Department of Agriculture, brought the bill to Senator John H. Bankhead of Alabama, who was Chairman of the Committee on Post Offices and Post Roads. Bankhead, with Page allowed on the Senate floor to answer questions from other Senators, secured approval of the bill. In conference with the House to reconcile differences in their approved bills, Bankhead prevailed in securing passage of his bill, with some modifications.

The Black Migration

In 1910, 89 percent of all African-Americans lived in the South. Their departure from the South – from separate but equal laws, the Jim Crow restrictions, and the lack of opportunity—gradually picked up speed. The percentage of African-Americans in the South had declined to 85 percent in 1920, 77 percent in 1940, and 53 percent in 1970. [Taeuber, Karl E., and Taeuber, Alma F., “The Black Population in the United States,” *The Black American Reference Book*, Smythe, Mable M., editor, Prentice-Hall, Inc., 1976, p. 165]

World War I gave African-Americans a glimpse of possibilities outside the South. In a book issued by the Smithsonian Institution in conjunction with an exhibit on the

migration, Spencer R. Crew explained the origin of the movement:

The start of World War I opened up new economic opportunities for black workers. Before the war northern industrialists primarily relied upon the labor of native-born whites and European immigrants. Prejudice against black workers and limited demand for their labor made it difficult for Afro-Americans to find work. The fighting in Europe [which began in August 1914] changed things. Demands on American firms to provide munitions and food for European customers increased as the fighting spread. At the same time, many European workers who might have come to the United States chose instead to stay home and defend their homelands. Furthermore, in this country, the accelerating war effort siphoned off more of the industrial work force as men volunteered or were drafted into military service. [In April 1917, the United States entered the war, which ended in November 1918.]

Faced with a shrinking work force, northern companies . . . quickly began to seek out Afro-Americans living in the South, whom industrialists had occasionally used as strikebreakers in the past As managers and company owners suppressed open prejudice against blacks to attract the workers they needed, news of the willingness of northern companies to hire black workers spread across the South. [Crew, Spencer R., *Field to Factory: Afro-American Migration 1915-1940*, Smithsonian Institution, 1987, p. 5-6]

By the end of World War I, about 500,000 black Southerners had moved north. Crew discussed their destinations:

A migrant's place of residence in the South often influenced where he or she settled in the North. Since most migrants had little money, they used the cheapest and most direct route north. Afro-Americans living along the Atlantic seaboard usually traveled up the East Coast to live in cities like Philadelphia, New York, and sometimes Boston. Many residents of Georgia and Alabama settled in Cleveland, Pittsburgh, and Detroit. Mississippi and Louisiana residents frequently relocated to Chicago. [*Field to Factory*, p. 28]

The migrants used all means of transportation, especially railroads:

Railroads like the Illinois Central, the Pennsylvania, and the New York Central carried many migrants north. Train travel was relatively inexpensive if migrants took advantage of the special promotions railroad companies offered. Because many companies gave special fares to groups of people riding together, migrants often formed "clubs" that capitalized on these group rates. [*Field to Factory*, p. 28-29]

Rail travel, while inexpensive, carried the same disadvantages as always:

[Black] railroad passengers traveled in segregated cars in the South. Since these

cars were located near the locomotive, passengers who opened their windows for fresh air received a shower of soot and cinders. In addition, people in these “special” sections received little or no service. On overnight trips they were barred from sleeping cars and had to rest as best they could in their seats. Unable to buy food on the train, they purchased quick meals during stops or brought their own food in a basket or cardboard box.

The railroads were not the only option:

Thousands of migrants also traveled north on buses, automobiles, and trucks. Along the East Coast, many migrants sailed on ships between southern ports and cities like New York and Washington, D.C. Traveling by water was less expensive than train travel and included sleeping quarters in the price of the ticket. [*Field to Factory*, p. 29-30]

This migration is one of the largest movements of population in the history of the United States, comparable to the better known western migration along the Oregon, California, and Santa Fe Trails. About 1.6 million people joined the Black Migration through World War II.

A more widely dispersed migration took place after World War II, spurred by defense industry jobs, and changing Civil Rights laws. Crew wrote:

From 1940 to 1960, nearly three million Afro-Americans left the South. Many of them traveled to West Coast cities, though Midwestern and eastern cities received their share of new residents. Afro-American communities in Los Angeles, Seattle, and Portland more than tripled in size as a result of this new wave of migrants. [*Field to Factory*, p. 73]

Just as remarkable was the migration of southern blacks within the South. Hundreds of thousands living in rural areas moved into southern cities; hundreds of thousands living in the “core” South moved to the rim southern States, especially Florida, Louisiana, and Virginia.

Writing in 1941, one of the pre-World War II migrants, the author Richard Wright, said, “Perhaps never in history has a more utterly unprepared folk wanted to go to the city; we were barely born as a folk when we headed for the tall and sprawling centers of steel and stone.” [Wright, Richard, *12 Million Black Voices: A Folk History of the Negro in the United States*, Viking Press, 1941, p. 93]

Although the northern States had not adopted Jim Crow laws, the migrants “found social conditions in the North sometimes a mirror image of what they were fleeing in the South.” As Packard explained, the “etiquette” of Jim Crow was absent, but, “many facets of Northern life involved a high degree of discrimination aimed at blacks, discrimination that was just as humiliating, and often just as brutal as anything they had known in their former homes.”

The small number of African-Americans in the north prior to the war tended to be relatively educated and had been subject to “a kind of truce that had for many years kept racial disharmony at a mere simmer.” Shifting demographics changed the balance:

Sadly, if predictably, the blacks who surged into the North’s cities changed white Northerners’ perceptions of these communities’ racial equations, leading whites to see what had before been a “stable” situation as now a “problem.” Not only were the new black migrants dramatically less educated than those who had long lived in the North, they were also suddenly viewed as rivals for the low-paying jobs held by poorly educated whites and, even more dangerously, were sometimes suspect as potential strikebreakers. The result was vastly increased racial tension in the North, more discrimination and racism, and all too often racial disturbances leading to rioting and mass murder. [*American Nightmare*, p. 112]

African-Americans were crowded into substandard housing, often with the connivance of real estate agents and loan officers at banks. In the north, the migrants did not see separate water fountains or segregated transportation as in the South, but individual whites could still refuse service, whether in a restaurant or theater. These were actions by white individuals, with no recourse for African-Americans to remedy the discrimination. “White Americans everywhere were free in those years—free to practice racism as they were free to reap the enormous benefits that were the birthright of their white skin.” [*American Nightmare*, p. 112-113]

The mass exodus of African-Americans from the South to northern jobs during World War I began to raise their hopes. These hopes were dashed shortly after the war as 25 race riots took place in the last 6 months of 1919 around the country, not just in the South. Woodward described this period:

In the postwar era there were new indications that the Southern Way was spreading as the American Way in race relations. The great migration of Negroes into the residential slum areas and the industrial plants of the big Northern cities increased tension between races. Northern labor was jealous of its status and resentful of the competition of Negroes, who were excluded from unions. Negroes were pushed out of the more desirable jobs in industries that they had succeeded in invading during the manpower shortage of the war years. They were squeezed out of federal employment more and more. [*Strange Career*, p. 101]

Journalist Nicholas Lemann, in his book on the Black Migration, quoted Wright’s comment, but said of the changes in society during the two migration periods:

The lives of the millions of participants in the great black migration to the cities have been limned by sweeping historical trends: the mechanization of the cotton fields, the end of legal segregation, World War II and the booming labor market it created in the urban North, the death of consensus liberalism as America’s reigning creed, and the collapse of our manufacturing economy. [Lemann,

Nicholas, *The Promised Land: The Great Black Migration and How it Changed America*, Vintage Books, 1992, p, 345; Wright quoted on p. 52]

The new residents, many not accustomed to city life, put a drain on public services that exceeded their tax contribution. The 1954 Supreme Court ruling in *Brown vs. the Board of Education*, and subsequent Civil Rights legislation (to be discussed later) accelerated the trend of “White Flight” that began after World War II. Middle and lower class white residents sought new housing in suburban areas, in part to leave minorities behind and escape the desegregation of urban schools. The urban riots of the mid-1960s added to the racial divide between city and suburb. Often, these trends were accelerated by real estate interests that used such tactics as blockbusting to “churn” neighborhoods from white to black.

In the days of *Toll Roads and Free Roads* and *Interregional Highways*, Federal highway officials were trying to get their new program up and running in cities even as other Federal officials were touting a new housing concept for revitalizing the urban core. Within cities, public housing had begun in the early 1950s to move minorities and low income groups from aging housing stock into high rise apartments.

The “projects,” as they were often called, did not provide the benefits their idealistic proponents had expected, and have been discredited long after they had reshaped the urban core in negative ways. Lemann described the result:

The one government program that can fairly be accused of having gone wrong . . . is public housing, especially the deadly effect of having no tenant screening in massive high rises that are segregated and filled with large families. Living in public housing doesn’t absolutely doom people But the atmosphere of these federally funded projects—the rampant crime, the drugs, the emphasis on an exaggerated and misguided version of masculinity that glorifies gang membership and sexual conquest—clearly helped to cause the troubles [*Promised Land*, p. 346]

(In recent years, many of the “projects” built with the idea of instilling pride in their occupants have been torn down to considerable public applause.)

Pullman Porters

With the rise of railroad in the 1830s, they replaced the stagecoaches that had been the primary means of interstate surface transportation. Although a marvel of the age, railroads were primitive in accommodations for passengers. Writer Larry Tye quoted a rider describing a night trip to Wheeling:

Without a proper place to stow away one’s hat, with no convenience even to repose the head or back except to the ordinary height of a chair, with a current of cold air continually streaming in and rendered necessary by the sulphurous heat of the furnace, and with the constant slamming of the doors at either end of the car

as the conductor goes in or out, or some weary passenger steps onto the platform to have a smoke, the passenger must indeed be dead beat who can sleep or even doze in a railroad car. [Tye, Larry, *Rising from the Rails: Pullman Porters and the Making of the Black Middle Class*, Henry Holt and Company, 2004, p. 6-7]

In 1838, the Cumberland Valley Railroad added sleeper cars to its line between Chambersburg and Harrisburg, Pennsylvania. Tye said of the new service:

Calling those primitive cars sleepers did not make them such. Beds typically consisted of bunks stacked three high, with cast-iron platforms and no sheets. There was no fresh air either, and about as much privacy as in an army barracks. [*Rising*, p. 7]

Rail companies tried to improve the service, but initial efforts were lacking:

Innovations over the next twenty years, from swivel couches to cane-bottomed berths, were insufficient to induce grumbling men to shed pants or even muddy boots as they bunked down for the night. Or to entice any but the bravest women to venture in at all. Most who did remained fully clothed, clutching hatpins through the night to repel wayward men. [*Rising*, p. 8]

One traveler who had experienced these cars was George M. Pullman, who took his experiences as a challenge. One 58-mile trip between Buffalo and Westfield, New York, was particularly influential, as Tye explained:

Pullman paid the extra dollar for a berth, intending merely to examine the accommodations, not test them. What he found when he did were ceilings so low a long-legged man like him had to stoop, ventilation so lacking it was difficult to draw a breath, and bedding so uninviting he felt obligated to keep on his pants and shoes. As for his triple-tiered bunk, he slept not a wink. [*Rising*, p. 9]

Pullman, a native of Albion, New York, had moved to Chicago in 1859 at the age of 29. He had worked in his father's business as a cabinetmaker and building-mover, but was looking for different challenges. In Chicago, he applied his father's building-moving technique to lifting the Matteson House hotel 8 feet so a sewer system could be installed. His new business did not give him the success he hoped for, so he turned to the idea of putting a hotel on rails.

His initial efforts involved two passenger cars that went into service on the Chicago, Alton, and St. Louis Railroad on September 1, 1859.

They . . . introduced a magnificently clever upper berth whose sleight-of-hand construction allowed it to be closed and lifted to the ceiling during daylight, when it stored the mattress and blanket, then dropped halfway to the floor at night. Heat came from box stoves, light from candles, and small toilet rooms with tin washbasins were situated at either end of the car. There were no sheets to start

with. The nightly fare was fifty cents for the upper berth, one dollar for the lower, and passengers had to be instructed to remove their boots and spurs before climbing into bed. One early rider—a lanky lawyer with whiskers from Springfield named Abraham Lincoln—was intrigued by the conveyance and, after quizzing George on its features, curled himself into an upper berth for the night. [*Rising*, p. 9]

After the Civil War, demand for sleeping cars increased. The railroad companies adopted a standard width, or gauge, between their rails of 4 feet, 8½ inches – replacing the varying gauges that limited the distance a company’s trains could travel. Despite President Lincoln’s recommendation that the builders of the transcontinental railroad employ a 5-foot gauge, they adopted what was becoming the standard gauge. With longer distance travel increasingly common, the companies had to improve sleeping accommodations.

The sleeping cars were typically convertible, with seating for the day, beds for the night. The British novelist Anthony Trollope described the sleeping cars he encountered during his tour of the United States in 1861:

In making this journey at night we introduced ourselves to the thoroughly American institution of sleeping-cars; – that is, of cars in which beds are made up for travelers. The traveler may have a whole bed, or half a bed, or no bed at all as he pleases, paying a dollar or half a dollar extra should he choose the partial or full fruition of a couch. I confess I have always taken a delight in seeing these beds made up, and consider that the operations of the change are generally as well executed as the maneuvers of any pantomime at Drury Lane. The work is usually done by negroes or coloured men; and the domestic negroes of America are always light-handed and adroit For every four seats the negro builds up four beds, – that is, four half-beds or accommodation for four persons. Two are supposed to be below on the level of the ordinary four seats, and two up above on shelves which are let down from the roof. Mattresses slip out from one nook and pillows from another. Blankets are added, and the bed is ready I cannot say that it is in all respects perfect. But distances are long in America; and he who declines to travel by night will lose very much time. He who does so travel will find the railway bed a great relief. [Trollope, Anthony, *North America* (editors Smalley, Donald, and Booth, Bradford Allen), Alfred A. Knopf, 1951, p. 119-121]

Many entrepreneurs were ready to meet the new demand, but Pullman would come to dominate the market beginning in 1865 with the introduction of the luxurious *Pioneer*:

He . . . kept a father’s prideful watch over the installation of every shag or Brussels carpeting, French plate mirror, ceiling mural, marble washbasin, and carefully encased upper berth. Gone were the flea-ridden, paper-thin cushions of old, replaced by mattresses stuffed with soft animal hair, sheets of silky linen, and enough plush blankets to warm the *Pioneer*’s fifty-two passengers. Heaters were

hidden under the floor. Windows in the clerestory roof ensured endless fresh air. [Rising, p. 10]

Pullman and his Pullman Palace Car Company would outdistance rivals for several reasons:

What he was was sharper and shrewder than his nearly three dozen rivals, building more sleepers than they did, standardizing them, and striking lucrative deals with rail lines to lease his cars and crews. He bought out competitors who were open to wooing and busted the rest. [Rising, p. 11]

His concept was that each car would be a hotel on wheels. In keeping with this concept, Pullman employed white conductors, who functioned as hotel managers, but as Tye put it: “where could he find a single worker willing and able to act as hotelier and waiter, chambermaid, butler, electrician, entertainer, and all the other things required for his five-star rolling hotels?” [Rising, p. 18] Pullman adopted the term “porter” for what he wanted. The term had long been used by railroads for the men who carried passengers’ luggage and performed other minor tasks. Now, the term took on a new meaning that “made *porter* synonymous with *Negro*.” [Rising, p. 23]

As Trollope had observed in 1861, African-Americans had worked on railroads for years, but the rail companies saw them mainly as cheap laborers in construction or shoveling coal into the engines. Pullman saw them as ideal for a different type of task, namely porters serving passengers throughout their trip.

According to Tye, Pullman preferred African-Americans from the South to be porters. Price was one factor, since they were willing to work for low wages in return for a steady job. In addition, he wanted his porters to serve his customers without question:

Negro porters seemed the ideal choice to deliver the obedience bordering on obsequiousness. Who better to anticipate and cater to passengers’ every caprice, from fetching a sandwich at sunup to mending torn trousers in the middle of the night, than men whose entire upbringing had been a long lesson in vassalage? How better to sell white riders on the slavish service on a Pullman car than to greet them with a smiling ex-slave?

Another factor influenced Pullman’s choice:

George Pullman’s most compelling motivation for hiring only Negroes, however, had to do with his conviction that for passengers to truly feel comfortable on his sleepers, they had to see the porter as someone safe. Ideally it would be a man you could look at but not notice, as if he did not exist. An invisible man. Which, given the social divide between Negroes and whites in those years after slavery, meant an ex-slave. To underline that otherness, Pullman managers favored swarthy-skinned applicants over those with creamier complexions. No danger, then, of a porter ever being mistaken for a passenger. [Rising, p. 24-25]

Although Pullman's motives were driven by profits, not humanitarianism, the effect was stark:

Whatever the reason, the results were arresting: thousands of Negro men freed from the dead-end choice of farm or factory, riding the nation's most ornate railroad carriages and relishing their adventure. He was the first northern industrialist to employ large numbers of Negroes—and his porters, in turn, helped prod the northward migration of tens of thousands of other southern Negroes as the nineteenth century drew to a close. [*Rising*, p. 28]

Pullman was a perfectionist who wanted his instructions carried out precisely. Gradually, the preparation of Pullman porters was regimented. Potential porters were carefully selected, their characters assessed, and then trained meticulously. Training included studying what grew into an inch-thick rulebook, as well as physical training. Author Stewart Holbrook explained the training in his history of American railroads:

The rookie porter is sent to school in one of the larger railroad centers where the Pullman Company has a car sidetracked for a schoolroom. Here in charge of a veteran the rookie learns the proper method of folding and putting away blankets, of making berths. He is taught that a sheet, towel, or pillow slip once unfolded cannot be used again; it may be clean, yet technically it is soiled and must go to the laundry. He goes through the motions of making up and making down the beds. He is shown how the heating, lighting, and air-conditioning controls operate. He is taught how to wake passengers—no noise, not even a knock on the edge of the berth, but merely a gentle shake of the curtains from the outside. Meanwhile, from the wise old heads who instruct him, the rookie learns a good deal about the habits of passengers whom he will meet.

Now comes an actual trip, though still under the eye of an experienced porter. The rookie will doubtless make several of these trial trips, and then, one night, he makes the trip out alone. If all goes well, or even pretty well, he is on his way to being a Pullman porter, and once he is such, he is more often than not set in the occupation he will follow the rest of his life. [Holbrook, Stewart H., *The Story of American Railroads*, Bonanza Books, 1957, p. 330-331]

It was a demanding job that as Tye put it, “would swallow up their lives, in hours and attitude,” with new hires “cut loose from home and family.”

Thousands of men hired in Georgia, the Carolinas, and Alabama were made to work out of railroad hubs like Chicago, New York, and Boston. The climates were icy, the accents hard to decipher, and there was a whole set of racial rules to absorb. [*Rising*, p. 35]

The Pullman porter had many responsibilities, sometimes occupying 400 hours a month in the early years. Converting the passenger cars into a sleeper was a key task:

Or, as they said, *made down* beds, since the most taxing part was popping the upper berth from the ceiling. The lower was formed by folding down opposing seats, fastening curtains, affixing the headboard, and adding blankets, pillows, and linen.

The porter was alert throughout the night to help passengers who needed to get down from their upper berths. He shined the passengers' shoes, black and tan only, one pair at a time to avoid mixing them up. In the morning, he had to be sure to wake the passengers on time:

Berth attendant was one among many hats worn by the Pullman porter. He was official greeter, helping passengers climb aboard and lugging up their baggage, then doing the reverse when they left. He was a chambermaid, endlessly dusting cinders from window ledges and seats, always with a wet cloth to keep embers down, then using mop and whisk broom to sweep grime off washrooms, passageways, and platforms. Spittoons had to be polished, ladies' hats boxed, letters mailed and telegrams wired, heaters stoked, lights lit, and extinguished, "Quiet" signs posted then removed, card tables set up and broken down, and coolers stocked with ice He was a flesh-and-blood lost-and-found, helping passengers retrieve misplaced dentures, diamond bracelets and wedding rings, mink coats and golf bags, and children. He brought food and drinks from dining and hotel cars, and sold cigarettes, candy, and playing cards everywhere Pullmans ran. [*Rising*, p. 38]

The Pullman company kept salaries low, so the porters depended on tips from their passengers. This circumstance made the porters eager to please, which was a characteristic the company encouraged:

Giving shoes a lasting shine was what porters called their "hustle," the ministrations most likely to elicit a reward. Next were delivering a telegram, mailing a letter during a station stop, running a bath, serving food or drink, delivering a card table or aspirin, and carting baggage A plea to "take care of my child" always came with a sawbuck or two, with another tip likely upon safely handing her or him off to grandparents down the line. [*Rising*, P. 46]

Passengers called the porters "boy," "uncle," "Sam," "Joe," and frequently, the "N-word." However, the most common name used was "George," after the company's founder. The porters resented this nickname, but the company required them to respond to it if used. By the 1920s, the company posted the names of the porters in the cars as a way of ending the "George" nickname, although its use continued for many years. In his 1947 book, Holbrook observed that by then, only the "pseudo-sophisticated male" addressed porters as "George," adding, "Today, only congenial hicks use 'George.'" [*Rising*, p. 94-96, *American Railroads*, p. 333]

In return for this hard work, Pullman porters were seen as leaders in their communities:

[The] porters were fully aware they had one of the best jobs in the Negro community, putting them on a social par with teachers, funeral directors, and even doctors and lawyers, many of whom worked their way through school as porters and a surprising number of whom came back after graduation for the easy money. Porters owned their own homes and were thought to be catches as husbands. They were racial diplomats, mediating between their all-Negro, mainly poor world and their riders' all-white, mainly middle-class one

Pullman porters also climbed near the top of the Negro social ladder, to the same rung as head waiters in restaurants and barbers. Porters had dipped their toes in the Pacific and Atlantic, walked the promenades in New York City and Chicago, and traveled to fifty states with Wall Street barons and baseball gods [the latter uniformly reviled as disruptive, horse-playing, rowdy, low- or non-tippers]. They were men with stories to tell, and everyone listened. No matter that the Pullman Company sold their services on the basis of their old South obsequiousness. What mattered back home was that many porters owned homes and cars, while most stayed groomed and sober, voted Republican, and were beacons of the church. Their skin remained black, but their tastes grew increasingly white and bourgeois, which in pre-World War I America was a measure of success. [*Rising*, p. 73, 77]

Their children and, in turn, grandchildren were often recruited for porter jobs, almost inheriting their parent's occupation.

Relations between the porters and the company were sometimes rough. For example, in 1893, the country went into one of its worst panics – railroad over-expansion with shaky financing created an economic bubble that collapsed and resulted in bank failures. Tye described the effect on Pullman's company and the town he had built for his factory workers:

George slashed workers' wages by nearly a third and pared back thousands of jobs, but rents went untouched, as did salaries of managers and dividends to stockholders. Workers were outraged, and in May of 1894 they declared a strike. It started locally but spread across the country as members of the American Railway Union refused to haul Pullman cars. It also started peacefully but ended with brick-throwing mobs overturning freight trains and turning Chicago into a flaming inferno. Calm was eventually restored, but not until twelve people were killed and two thousand federal troops called up, along with four thousand Illinois militia, five thousand deputy marshals, and the entire Chicago police force.

A racial divide was evident. The union's constitution required members to be "born of white parents," so the porters had not been recruited for the strike. The strike also exposed the racial restrictions of Pullman's company town, which admitted few African-Americans and no porters. Although Pullman had broken the strike, he was now seen as

“a pompous autocrat, industrial tyrant, and modern-day King Lear,” as Tye summarized the contemporary commentary. [*Rising*, p. 70-71]

George M. Pullman died in Chicago on October 19, 1897, after a heart attack. Robert Todd Lincoln, the former President’s son, became president of the Pullman Company, a role he would hold until 1911. Much of his term would involve defending the company’s labor practices, including the low salaries paid to the porters.

The International Brotherhood of Sleeping Car Porters

During this period of fierce union activism, African-Americans were cautious, especially since most unions excluded members of their race. Moreover, many companies fought openly and in secret to block union recruiting. Pullman, like many other companies, employed spies among the workers to identify union activists who would then be fired.

In 1915, the company took a step that other companies had tried to channel worker concerns by establishing its own union for workers:

Recognizing the inevitability of porters banding together in some way, the company tried to set the form, control the function, and guarantee that the organization stayed friendly. The Pullman Porters Benefit Association got things started. It was supposed to be independent, but its first chairman was Arthur A. Wells, George Pullman’s longtime private car attendant and personal assistant, and its expenses came from company coffers. [*Rising*, p. 105-106]

In 1920, the company established the Employee Representation Plan, a porters’ union to handle grievances and advise on wages.

In 1925, the attitude of the porters toward union activism began to change. Five veteran porters created the International Brotherhood of Sleeping Car Porters that summer. They selected A. Philip Randolph to lead the union and the crusade to build it. One of his qualifications was that he could not be fired – he had never been a porter and had never ridden in a Pullman sleeper. He was, however, notorious. He was a socialist, an atheist, union activist, and a pacifist during World War I, earning himself the title, “most dangerous Negro in America.”

A native of Jacksonville, Florida, Randolph had grown up in poverty. Jacksonville had been open to African-Americans in the 19th century, but early in the 20th century the city began to implement the Jim Crow restrictions that were increasingly common throughout the South. His father was minister at the impoverished African Methodist Episcopal Church:

Not long after the Randolphs moved in, Negroes were dislodged politically and given their own, second-rate sections at schools and hospitals, in theaters, jails, and saloons, on streetcars, and in government itself. [*Rising*, p. 117]

Their parents prohibited young Asa and his brother from using the segregated streetcars or reading room at the public library, but emphasized the importance of reading and speaking articulately and precisely, like the Shakespearean actors their father admired. The brothers attended Cookman Institute, the State's first high school for African-Americans. Asa did well in English, public speaking, and drama, and sang baritone in the choir and was a standout baseball player. Financial considerations meant that college was out of the question, so Asa took odd jobs around Jacksonville after graduation until he moved to New York City in April 1911.

While working at menial jobs, he attended City College, which was free to students, and began his shift to radical beliefs. He also found a wife, Lucille Green, a teacher who had found lucrative work in a beauty salon after her first husband had died. Her income helped the young couple survive as her husband became more involved in radical politics and union activities. [*Rising*, p. 116-130]

With his fortunes sinking by the mid-1920s, Randolph was just what the five union organizers were looking for:

Randolph needed a job, a salary, and a new focus for his crusade to unionize Negro workers. The five lonely Pullman porters plotting to launch a union in 1925 needed a crusader capable of waging holy war, for that is what it would take to defy porters' twenty-five year history of organizing fiascoes. Both were desperate. Both found what they were looking for. [*Rising*, p. 131]

On August 25, 1925, the Brotherhood held its first large meeting. The auditorium of the Imperial Lodge of Elks in Harlem was packed with porters, as well as company spies. Randolph addressed them with the articulation of a Shakespearean actor:

Aware that many porters were distressed by his street-corner evangelizing against the church, he opened the meeting with a prayer and a tribute to his preacher-father. Knowing how timid previous union-building bids had been, he was direct. "What this is about is making you master of your economic fate," Randolph intoned, explaining that he would demand a minimum monthly wage of \$150, a limit of 240 hours, and, in a statement sure to waken anyone snoozing in the heat, an end to the sacred practice of tipping. He acknowledged never having ridden a Pullman car but called that a testament to his poverty and a sign that "the price is too high." [*Rising*, p. 114]

He promised gains that those in attendance could achieve – if they were not fired.

The next few years, the union struggled to gain members, but could not secure certification as the union of the porters. These struggles became even more dire during the Depression of the 1930s when job security was paramount. The company continued to work against union activists.

The election of New York Governor Franklin D. Roosevelt in 1932 to be President gave new hope to union leaders. In 1934, they helped secure approval of the National Labor Relations Act. It prohibited company unions and required companies to negotiate with unions chosen by a majority of its workers – and that explicitly included Pullman porters among the groups covered.

The Pullman Company tried to establish its own Pullman Porters and Maids Protective Association, but by secret ballot, the porters chose the Brotherhood to represent them. The company began negotiating in 1935 on a new contract that would take 2 years to complete. Despite its continued resistance to union power, the company finally conceded that times had changed:

Most ominous, the five big railroad unions were stuck in contracts disputes and, on August 25, 1937, announced plans for a nationwide strike of 250,000 railroad workers. Pullman porters said they might walk out with them.

Still, what happened that same morning in the Chicago conference room where the Brotherhood was negotiating with Pullman representatives shocked everyone on the union's side of the table. The Pullman Company vice president, Champ Carry, entered the session and announced, "Gentlemen, the Pullman Company is ready to sign." He then circled the long bargaining table, shaking hands with each of the eight Brotherhood negotiators. Twelve years to the day after Randolph had launched the Brotherhood in Harlem's steamy Elks hall, the union of Pullman porters had its first contract with the powerful Pullman Company. [*Rising*, p. 162]

The agreement delivered major gains to the porters, including an increase in minimum pay from \$77.50 to \$89.50, a monthly schedule of no more than 240 hours, and pay for preparing cars. The union's success propelled it to a leadership role within the African-American community. [*Rising*, p. 165]

The prominent position of the union also made Randolph a leader in the evolving Civil Rights Movement. As will be discussed later, he worked to end discrimination by defense contractors and segregation in the military and went on to lead many other landmark efforts, including the 1963 March on Washington.

The era of the Pullman porter began to fade in the 1940s as America shifted away from passenger rail. From a peak of 40 million passengers in 1920, ridership had declined to 15 million in 1940. Following a wartime boom, declines resumed: 16 million in 1950; 11 million in 1955, and only 2½ million in 1965. Like passenger service overall, the Pullman Company was losing money. The decline reflected a general increase in options for the traveling public:

Automobile production had started to skyrocket during the First World War, with assembly lines turning out nearly 2 million cars and trucks in 1917, ten times more than in 1910. Much the way the Iron Horse had symbolized American

progress in the late 1800s, so Henry Ford's Tin Lizzie embodied an America on the move in the early 1900s. The federal government fueled the trend during the 1950s when it began pumping billions of dollars into highway construction, laying down a true national network. By 1960, nearly 90 percent of Americans were traveling between cities by private car, with a patchwork of hastily constructed motels and inns displacing the old hotels on wheels.

The remaining 10 percent of travelers chose a bus, train, or plane. That choice, too, was skewing against the sleeping cars. Buses were the cheapest alternative, and, with new highways to ride on and schedules rivaling the railroads, they lured away many of Pullman's middle-class riders. Day trains ate into the sleeper businesses in two ways: modern locomotives got there fast enough to make some night travel unnecessary, while for economy-minded overnighters there were newly spacious coach seats with leg rests and reclining backs

But it was planes that hurt most. Airlines let business travelers cross the country in six hours rather than the four days a sleeper took, and ensured honeymooners and other vacationers more time at their destination. Few seemed to mind sacrificing the romance of getting there. In 1926, only 5,782 Americans flew on commercial airlines. In 1938, the number was up to 1,343,427, and by 1946, domestic flights had pulled even with Pullman in passenger loads. As for price, airlines were able to lower fares as technology improved and traffic increased, whereas Pullman had enormous labor costs that it could not shed. The sleeping car firm was left trying to market a service in the 1950s that was four times slower than its aerial rival and nearly twice as costly. By 1960, the company was back where it had been when George launched it nearly one hundred years before; as the domain of those so well heeled they could indulge in luxury and not trouble themselves about time or price.

The effect on porters was inevitable. When the International Brotherhood of Sleeping Car Porters was formed in 1925, the company employed 12,000 porters. Only 7,500 porters remained in 1939, when the company stopped hiring porters. In 1960, only 2,852 porters were still working, and only 1,151 in 1968. The wage increases that the union had secured with its first contract when the company was profitable, were tempered as the company's profits declined.

Another factor involved the prestige of the porters' position in African-American communities:

Porters also were seeing their status slip within the hierarchy of the black middle class, especially in cities like Chicago. Young black men moving there from the South in the 1920s and 1930s found they could earn a good living in factories and meatpacking plants, or as police officers and firemen, none of which carried the porter's stigma of servitude or required being away from home. Add in the growing difficulty of landing a job as a Pullman porter, and it is no surprise that ambitious young blacks began looking elsewhere to build their future.

The Pullman Company ended its sleeping car service on January 1, 1969. It had been a good run – 103 years – but the company realized profits would never return. By then, the service was a shadow of itself, down from a peak of 10,000 sleeping cars to only 425. [Rising, p. 232-237]

In October 1968, A. Philip Randolph stepped aside from his position as head of the union. By 1978, the union had fewer than 1,000 members and it was merged with the Brotherhood of Railway and Airline Clerks, which no longer prohibited African-American members.

The Nation's railroads had all but abandoned interstate passenger service by the end of the 1960s. It simply wasn't profitable, and no longer a public service worth subsidizing with profits from freight shipments. In 1971, legislation established the National Railroad Passenger Corporation to operate passenger rail under the name Amtrak. It continued to provide sleeper service on its long-distance routes. "But although Amtrak did its best to sustain sleeping car service, it was difficult to match the reality of Pullman service—and impossible to live up to the legend." The company operates only 163 sleepers, which are serviced by workers called "attendants," not "porters," and might be men or women of any race.

By then, of course, African-Americans had many other opportunities in the railroad industry:

While whites were breaking up the black monopoly among porters and waiters, blacks were making even greater inroads on the railroad. They were being hired in sales jobs and supervisory ones, and moving up from laborer and service posts to skilled ones. One train in December 1968 was reported to have been under the control of an all-black crew. "If any one 12-month period can be identified as the breakthrough for the Negro, 1969 would have to be it," *Trains* magazine reported in August 1973. That timing is sad as well as ironic, since the breakthrough came precisely twelve months too late for it to affect the Pullman Company. [Rising, 238-239]

Lucille Randolph, who had encouraged her husband in days when she was the breadwinner, died in 1963 after arthritis and a broken hip had kept her confined to the family's Harlem apartment for her last 10 years. A. Philip Randolph died on May 16, 1979.

The Davis-Bacon Act

In the 1920s, contractors found that they could pay African-American workers less than white employees, and thereby submit lower bids than contractors using white union workers. Many States passed laws that required contractors on public projects to pay workers the prevailing wage in that State as a way of reducing the prospect that

contractors with underpaid workers—often out-of-State contractors importing African-Americans from the South—would secure contracts.

An Alabama contractor won a contract in 1927 from the Veterans' Bureau to construct a hospital in Long Island, New York, with his low bid aided by importation of African-American workers from the South. Congressman Robert L. Bacon, a Republican who represented Long Island from March 1923 until his death on September 12, 1938, introduced a bill in the U.S. House of Representatives to require payment of prevailing wages on Federal projects. He said of the workers on the hospital project, "They were herded onto this job, they were housed in shacks, they were paid a very low wage, and . . . it seems to me that the federal government should not engage in construction work in any state and undermine the labor conditions and the labor wages paid in that state."

Bacon considered his proposal a matter of fairness. He wanted to give local contractors and labor a "fair break" in getting government contracts:

If the local contractor is successful in obtaining the bid, it means that local labor will be employed because that local contractor is going to continue in business in that community after the work is done. If an outside contractor gets the contract, and there is no discrimination against the honest contractor, it means that he will have to pay the prevailing wages, just like the local contractor.

The bill did not pass, but Congressman Bacon would introduce variations of the bill in succeeding years.

The Depression would create an atmosphere that would allow passage. In 1931, the Hoover Administration asked the Comptroller General if government contracts could include a prevailing wage provision. When the Comptroller General ruled on January 10, 1931, that such a provision would undermine the current statutory requirement for competitive bidding, the Administration worked with Congress to provide a statutory basis for mandating prevailing wage restrictions.

Congressman Bacon partnered with Senator James J. Davis, a Republican from Pennsylvania who had served as Secretary of Labor under Presidents Harding, Coolidge, and Hoover (1921-1930) before resigning to take his seat in the Senate. They introduced the bill that would be known ever since as the Davis-Bacon Act. Senator Davis explained that "the least the Federal Government can do is comply with the local standards of wages and labor prevailing in the locality where the building construction is to take place." He and Congressman Bacon argued that their bill was fair to workers because their wages would not have to be slashed so their contractors could compete against those willing to employ cheap labor.

The House and Senate passed the bill as introduced. President Hoover signed the Davis-Bacon Act on March 31, 1931. It required payment of prevailing wages on projects awarded by the Federal Government. As a result, it did not apply to the Federal-aid highway program, a grant program that reimbursed State highway agencies for the

Federal share (50 percent) of eligible expenditures on Federal-aid contracts they awarded. (The Davis-Bacon Act did apply to Federal contracting by the Bureau of Public Roads in National Parks, National Forests, and other Federal reservations.)

As soon as the law went into effect, supporters began to complain that it lacked an effective enforcement mechanism and did not provide for determination of prevailing wages before contracts were advertised. After extensive hearings and one vetoed bill, Congress passed amendments in 1935 to address the deficiencies in the original bill. The bill lowered the minimum contract amount to \$2,000 for application of the prevailing wage law and provided for the Department of Labor to issue prevailing wage determinations that would apply to future contracts. President Franklin D. Roosevelt signed the legislation on April 30, 1935. [Ginsburg, Gilbert, *A Practical Guide to the Davis-Bacon Act: Course Manual*, Federal Publications, Inc., 1998, p 1-4]

In 1955 and 1956, the Congress debated whether to apply the Davis-Bacon Act to construction of the Interstate System. During consideration of a bill introduced by Senator Albert Gore, Sr., the Tennessee Democrat who served as Chairman of the Subcommittee on Roads, the Public Works Committee had voted to apply the provision to the Interstate System at the request of Senator Richard L. Neuberger. The Senator, a Democrat who represented Oregon from 1953 until his death in 1960, argued, "We don't want coolie labor building our interstate highways."

The provision was popular with unions, but unpopular with many Senators, including Senator Harry Flood Byrd, the Virginia Democrat who headed the Finance Committee and was known as a political penny pincher. He summarized his objection during the debate on the Senate floor:

[It] would cause endless confusion and would increase the cost of highway construction, conceivably to a point where Federal appropriations practically twice their current size would build no more highways than are being built today.

By voice vote, the Senate rejected the provision, but as final passage loomed in 1956, the House version applied the Davis-Bacon Act to Interstate projects. With most issues resolved, the Davis-Bacon Act was one of the few remaining subjects of controversy. Historian Mark Rose explained that although unions favored the provision, the traditional highway community tried to block it in the Senate:

Contractors and state road engineers worked hard to eliminate the amendment. As early as January 19, members of a group of engineers and contractors had declared for local determination of wages, invoking mostly cost arguments. Beginning around March 1, through early June [1956], contractors and chamber of commerce officials joined the struggle against Davis-Bacon, sending letters and petitions to members of Congress. Usually, they spoke of efficiency, of lower costs, of states' rights, all symbols, images, and commercial realities celebrated by men in contract road work. In April, administration leaders took up the anti-Davis-Bacon cause, trying to find a way to cut it without angering labor leaders.

Rose summarized the final debate on the Senate version of the bill in 1956:

Only Davis-Bacon provoked senators to real controversy. At one point, so great the confusion, so diverse the approaches, the Senate voted Davis-Bacon or a revision of it several times, achieving that many different results. [*Interstate Express*, p. 90-91]

The Senate finally voted to accept the Davis-Bacon Act, but with an amendment providing for an appeal and judicial review by any aggrieved party.

The Conference Committee formed to resolve differences between the House and Senate versions of the bill accepted application of the Davis-Bacon Act to the Interstate System, but rejected the appeals process in the Senate bill. The conferees were concerned that an appeal process might delay Interstate projects, and believed that cooperation in good faith between the State and Federal officials "will insure satisfactory results."

As a result, a measure intended in 1931 to prevent low-paid African-Americans from taking jobs from white union workers on Federal projects became part of the Federal-Aid Highway Act of 1956 that President Eisenhower signed on June 29, 1956. (Section 12 of the Federal-Aid Highway Act of 1968 extended Davis-Bacon Act coverage to all Federal-aid highway projects.)

Adapting Transportation to Jim Crow

African-Americans, wherever they lived, faced challenges every day as Jim Crow laws proliferated in the South and spread in practice to other parts of the country. Transportation was one such challenge, for the experience of travel was very different for African-Americans and white Americans. *Plessy v. Ferguson* was a ruling on separate rail cars in intra-State operation, but as Woodward pointed out, its impact soon spread to other modes of transportation as they evolved:

Jim Crow kept step with the march of progress in transportation and industry, as well as with the changes in fashion. Mississippi brought her transportation laws abreast of the times in 1922 by passing a state-wide Jim Crow law applying to taxicabs. City ordinances requiring Jim Crow taxis were adopted by Jacksonville in 1929, by Birmingham in 1930, and by Atlanta in 1940 The advent of the cross-country buses as serious competitors of the railways was marked by the extension of the Jim Crow train law to the buses in all particulars, including seating arrangement, waiting rooms, toilets, and other accommodations.

The growth of air transportation challenged separate-but-equal laws:

No Jim Crow law has been found that applies to passengers while they are in the air. So long as they were upon the ground, however, they were still subject to Jim Crow jurisdiction. The Virginia legislature empowered the State Corporation

Commission in 1944 to require separate waiting rooms and other facilities in airports. Air companies generally complied with custom without the compulsion of law – at least so far as activities on the ground were concerned. [*Strange Career*, p. 103-104]

Fireside also discussed the spread of segregation in transportation:

As if the Jim Crow car wasn't demoralizing enough, there were the train stations . . . after four decades of segregation, with separate entrances and waiting rooms for Negroes and small, dirty toilets where there were any at all. By the 1940s second-rate quarters also waited intercity bus travelers, who were often seated in the back of the vehicle—if there was room after whites had occupied the front seats. Negroes could expect to wait outside, while whites were admitted into waiting rooms, often with segregated lunch counters. The enforcement of these laws varied somewhat from state to state and town to town. In Birmingham, for example, street cars had partitions clamped on the back of the seats to indicate the race of passengers for whom they were reserved. In New Orleans, steamboats and trains had “whites only” sections, as did, eventually, the front seats of streetcars. [*Separate and Unequal*, p. 230-231]

Use of the highway also was restricted, as Packard discussed in his history of Jim Crow laws:

Where blacks had since slave days been expected to step off the sidewalk to allow white persons to pass unimpeded—failure to do so could result in being murdered—some communities with the new century began to require blacks to keep off the sidewalks altogether when any white children were occupying any part of them. Much the same held for the roadway, where blacks could expect to be stopped by police if they dared pass a white driver. So offensive to white sensibilities was a black driving an expensive car that even well-to-do African-Americans kept to older models so as not to give the dangerous impression of being above themselves. [*American Nightmare*, p. 91]

African-Americans were never prohibited from owning cars, but the highway “etiquette” of Jim Crow affected their operation:

One requirement was to sometimes illogically cede the right-of-way to a white driver—or even to a black driver who was chauffeuring white passengers. At many four-way-stop intersections in the South, the right-of-way was determined not by who reached the intersection first, but rather by the race of the drivers. When confronting a white driver who was female, a black male driver in the South could and sometimes did face a life-or-death decision. Compounding the difficulty facing African-Americans was the lack of universality of any of these conventions. In some places whites did maintain normal driving rules. But in others, Jim Crow was more important than highway safety. [*American Nightmare*, p. 167]

Although the Jim Crow laws were confined mainly to the South, practices elsewhere resulted in similar restrictions that were tolerated by State and local laws. Gas stations would not allow African-Americans to use the rest rooms. George S. Schuyler, an African-American author and journalist, described the experience in the August 1930 of *The American Mercury* magazine:

Next to being strictly honest, there is no more trying state in this humdrum Republic than being simultaneously a Negro and a traveler. Indeed, the troubles of Job seem trivial in comparison with those that bedevil the poor Aframerican who ventures forth to see his country. No matter in what part of it he may reside he knows very well that the hotel and resort advertisements he reads in the newspapers and magazines are not intended for such as he

When the Negro assumes that ninety-nine out of every one hundred American hotels are closed to folk of his ancestry he is not far wrong. Where he is given accommodation it is often done so grudgingly and with such obvious ill-will and annoyance that it is exceedingly difficult for him to enjoy his stay unless his feelings are tougher than a prison warden's or he possesses a sense of humor like Jonathan Swift's.

Schuyler added: "In the few remaining places in the Land of the Free where he is not openly discriminated against because of his color, he can almost be sure that some touring member of the Superior Race will demand that something will be done about it."

Schuyler's article was largely concerned with the humiliations of rail travel—from buying a ticket, using the dining car, securing a sleeping berth, and getting to and from the station. In reaction, he said, "all Negroes who can do so purchase an automobile as soon as possible in order to be free of discomfort, segregation, and insult." The new car owner would be "accorded courteous treatment" at gas stations, and even in the South, might be "dumbfounded to hear that he can eat a quick lunch at a roadside lunchstand," but when it came to tourist camps, "he is usually out of luck."

In 1930, whites in the South had grown accustomed to seeing African-Americans driving automobiles "so they are seldom molested nowadays." In earlier days in the South, he said, they would be suspected of having stolen the vehicle. "Up until very recent times, it was unhealthy for a Negro motorist to whizz past a white automobilist in certain parts of Mississippi."

Although African-Americans had not yet taken to air travel, Schuyler predicted that "Mr. James Crow will be equal to the occasion" when they do:

[Where] Negro passengers are not completely barred we can confidently expect to find them openly or subtly herded into whatever happens to be the dirtiest and most uncomfortable part of an airplane or dirigible. [Schuyler, George S., "Traveling Jim Crow," *The American Mercury*, August 1930, p. 423-432]

Professor Neil R. McMillen, writing in 1989, recounted some of the tribulations facing African-American motorists in Mississippi during the Jim Crow era:

Black motorists apparently bought gasoline wherever it was sold, but few service stations maintained “colored” rest rooms, and none seem to have kept them clean. Inconvenience, humiliation, and uncertainty nearly always accompanied the black traveler. Overnight lodgers throughout the Jim Crow period depended largely on the hospitality of their race or the chance discovery of a Negro rooming house Early in the automobile age white opinion and the local constabulary in some communities arbitrarily denied black motorists access to the public streets. Many towns informally restricted parking to whites on principal thoroughfares; for a time following World War I, Jackson’s Capitol Street, portions of Greenwood, the entire city of Laurel, and doubtless all or parts of many other communities were known to be open only to white motor traffic. In the Delta, custom forbade black drivers to overtake vehicles driven by whites on unpaved roads. “Its [sic] against the law for a Negro to pass a white man,” a black Holmes Countian reported in 1940, “because the black man might stir up dust that would get on the white folks.” [McMillen, Neil R., *Dark Journey: Black Mississippians in the Age of Jim Crow*, University of Illinois Press, 1989, p. 11]

Celebrity status made little difference in the South, even when white audiences wanted to see their performances. Musicians, actors, and athletes lived the Jim Crow life, often forbidden to stay in hotels or patronize clubs where they performed. Cultural historian Harvey G. Cohen cited several examples in his biography of musician and composer Duke Ellington:

In 1931, Earl Hines and his orchestra “were the first big Negro band to travel extensively through the South.” Hines referred to it as an “invasion” rather than a “tour.” Between a bomb exploding under their bandstand in Alabama (“we didn’t none of us get hurt, but we didn’t play so well after that, either”) and numerous threatening encounters with the police, the experience proved so harrowing that Hines in the 1960s recalled that “you could call us the first Freedom Riders.” . . .

Louis Armstrong, who grew up in New Orleans, also endured numerous instances of trouble, the worst being when he and his band were thrown into a Memphis jail after a local bus driver, not knowing that the band he agreed to transport would be black, refused to transport them. Armstrong and his band, who were regularly involved in business relations with gangsters who ran jazz clubs in New York City and Chicago, did not meekly submit to the authority of the driver or the summoned police, a transgression which landed them in the slammer until the club they were scheduled to play that night freed them on the proviso that the band would perform a free radio broadcast for the club. Visiting black entertainers had endured such treatment in the South for decades. [Cohen, Harvey G., *Duke Ellington’s America*, The University of Chicago Press, 2010, p. 130]

African-American baseball players in the Negro Leagues traveled by bus and had to scramble to find food and lodging. Kansas City sports columnist Joe Posnanski described a recent visit by former Negro League players to an elementary school in the 2000s. One of the students asked Red Moore “what was the hardest part of playing in the Negro Leagues?”

Moore said that he remembered restaurants would not let him eat. He said that was the hardest part. They were hungry. James Lee nodded. “We ate luncheon meat on the buses,” Lee told the kids. “We ate crackers on the buses. Sometimes we didn’t eat at all. It was hard. We were treated like we were . . . less than men. [Posnanski, Joe, *The Soul of Baseball: A Road Trip Through Buck O’Neil’s America*, Harper, 2008, p. 191]

Even after Jackie Robinson had integrated the major leagues, African-American players joining the formerly white teams had to deal with racism in public accommodations. J. C. Hartman, a Negro League player who signed with the Houston .45s (now the Astros), recalled an incident involving Billy Williams. In 1959, Williams abandoned his integrated minor league team and went home. Hartman recalled the incident that prompted the departure after a day game in Victoria, Texas:

The game had gone late, and by the time Hartman and Williams finished getting dressed after the game, the one black restaurant in town was closed.

So they went back to the Ambassador Hotel, where the team was staying. They saw teammates eating in the hotel restaurant. Hartman said it was the most familiar scene in the world—ballplayers laughing, drinking, telling stories, a waitress flirting—but on this night it left them cold. Williams and Hartman were black and were not allowed to eat in the hotel restaurant. This was a minor nuisance on most nights because they could eat somewhere else, but now it was late and they were hungry, and they felt humiliated. Hartman found the manager and said, “We need to eat. We’re hungry.” The manager called the hotel owner. A deal was struck. The manager took Williams and Hartman to the kitchen and set up a table for them.

“You can eat here,” he said, and he walked off.

Williams and Hartman sat in the kitchen. They heard their teammates talking about the game and Billy’s big hit [that won in the game in the ninth inning]. Nobody offered them food. A waitress rushed by and did not seem to hear their calls. This was seven years after Ralph Ellison’s book *Invisible Man* had been published. They felt invisible. (*The Soul of Baseball*, p. 86-87]

Williams went home, but eventually returned. With Houston and the Chicago Cubs, he had a lifetime batting average of .290, hit 426 home runs, and accumulated 1,475 runs batted in. He was elected to the Baseball Hall of Fame in 1987; the Chicago Cubs retired his number 26 that same year.

Edward Kennedy “Duke” Ellington had been born in Washington, D.C., in 1899, at a time when African-Americans in the city were enjoying a vibrant cultural life:

It was a center of black musical and intellectual resistance to racism, and probably the best place to be an African American at the turn of the century, though certainly not without racial problems. The city was a bastion of the black middle class After the Civil War, Washington gained a reputation as a center of “respectable Negro society,” serving as a haven from exploitive sharecropping in the South designed to resemble slavery, most of the worst Jim Crow discrimination, and increased incidence of lynching and racial violence. It boasted the largest black urban community in the nation—31 percent of its inhabitants. Until the Woodrow Wilson administration ushered in an era of increased segregation in 1913, the federal government treated and hired local blacks with relative equality. [*Duke Ellington’s America*, p. 10]

Ellington’s middle class family lived mainly in the Shaw neighborhood, the city’s main black business district. He attended segregated schools, but they had a strong reputation:

Most importantly, race pride was emphasized in Washington’s black schools, and emerged as a major influence in the generation of black youngsters that came of age in the early twentieth century

Ellington reported in his autobiography that his teachers (and his father) taught him that African Americans needed to cultivate especially good manners and speech and that blacks in his neighborhood were careful not to mix with any below-average people—black or white. “At that time there was some kind of movement to desegregate the schools in Washington, D.C.,” Ellington explained. “Who do you think were the first to object? Nobody but the proud Negroes of Washington, who felt that the kind of white kids we would be thrown in with were not good enough.” [*Duke Ellington’s America*, p. 12]

By the 1920s, the city’s reputation had changed:

President Wilson’s 1913 purge of blacks from federal government work eliminated many prestigious jobs for them. The violence against blacks following World War I included a race riot that raged for five days, provoked by false reports of black men attacking white women. The attacks by whites inspired blacks to take up arms against them But the lowest moment of the era in D.C. race relations occurred at the dedication of the Lincoln Memorial in 1922, when blacks were segregated from the main audience by a rope and a dirt road, and a black speaker at the event honoring the president who freed the slaves could not even sit on the dais. Ellington and band members Sonny Greer and Otto Hardwicke left Washington for New York shortly after this event. [*Duke Ellington’s America*, p. 22]

(The African-American speaker was Dr. Robert R. Moton, president of Tuskegee Institute, who proudly represented 12 million African-Americans—“none more grateful, none more reverent” at this moment honoring the great President.)

By the 1930s, Ellington was an international star whose orchestra enjoyed a triumphant European tour. He had always avoided playing the South, but fresh from Europe, he agreed to do so if the tour could be handled in a way that would minimize friction with Jim Crow restrictions. He and his manager hired three Pullman cars for the southern tour and had the name of the orchestra painted on the sides of each of them. “The band had hired out trains for nonstop cross-country trips before, but it usually used buses between gigs.” The Pullmans, with their sleeping arrangements and facilities added for cooking, avoided two of the great problems African-Americans experienced when touring the South, namely finding restaurants and lodgings that would accommodate them.

“No band, black or white, had traveled through the South in that manner before,” setting an example of pride for African-Americans in the South:

Blacks in the South could not hope to evade Jim Crow constrictions in the regal manner of the Ellington orchestra, but the mere presence of well-dressed, world-renowned, and accomplished black men, who attracted white paying audiences as well as black, made a lasting impression on blacks living in the “beleaguered segregated communities” where Ellington, Armstrong, [Cab] Calloway, and Hines played and stayed.

The group’s performances were segregated, but Ellington also performed shows for exclusively black audiences. They performed separate performances in Dallas (“A Special Dance for Colored Only”), the Houston Colored Junior College, and the Panhandle Theatre (the “first colored attraction”) in Amarillo, Texas. This last concert was a midnight performance for African-Americans who had never been allowed in the theater.

Cohen summarized the successful Southern tour in the protective Pullman cocoon:

. . . Ellington’s approach outlined a new, more urbane identity for African Americans, proud of both their postslavery urban roots as well as their preslavery African roots. Ellington’s American audiences, even in the South, began to realize that he and his band represented black artists who defined themselves on their own equal terms, and not as whites viewed them. The Ellington orchestra implicitly rejected the Jim Crow vision of blacks not through words (which would have been dangerous) but through deeds, images, and actions. [*Duke Ellington’s America*, p. 130-135]

Ellington’s 1933 experience was possible because he could afford to insulate his orchestra from Jim Crow. For most other performers and athletes, the blues singer

and musician Leadbelly summarized the experience in “Jim Crow Blues”:

I’ve been traveling,
I’ve been traveling
From coast to coast.
Everywhere I have been
I find some old Jim Crow

One thing, people,
I want everybody to know
You’re going to find some Jim Crow
Every place you go.

The 1941 March on Washington

In 1941, Germany’s war against America’s allies in Europe continued in the west even as Adolph Hitler sent his forces east into the Soviet Union. As the war spread across the Old World, President Roosevelt was rapidly moving the United States into position to support its allies. This meant increased industrial production of weapons and other goods needed for the war in Europe, as well as rationing, cutbacks in other activities, and an increased draft in the United States.

Even before American entry into the war following the Japanese attack on Pearl Harbor on December 7, 1941, the President was rallying citizens for the cause. On May 27, 1941, he declared in a radio address that “an unlimited national emergency exists,” a step that took the Nation as close as it could come to war with declaring war. The country, he said, would “take any steps necessary” to deliver goods to England and to ensure the ultimate defeat of the Axis powers of Germany, Italy, and Japan. With France under German control, he said, “The delivery of needed supplies to Britain is imperative. This can be done; it must be done; it will be done.” For this purpose, the country would fight to keep the seas open, while taking every step to block any efforts Hitler might make to move forces into the Western Hemisphere.

His formal proclamation of the emergency called on “all loyal citizens engaged in production for defense to give precedence to the needs of the nation to the end that a system of government that makes private enterprise possible may survive.” He called on labor and management to settle their differences to unify for the battle:

I call upon all loyal citizens to place the nation’s needs first in mind and in action to the end that we may mobilize and have ready for instant defensive use all of the physical powers, all of the moral strength and all of the material resources of this nation.

The call for unity and the setting aside of old disputes sounded different to African-Americans than it did to whites. As Packard put it, African-Americans who had served

in the segregated army of World War I recalled their return to second class civilian status:

Most of those soldiers and sailors went back to their Southern homes and to the same torment of Jim Crow that had always been their lot. A few had returned to or resettled in the North, but there, too, employers and unions denied them jobs, real estate agents and politicians confined them to ghettos, and vast numbers of whites treated them with deep-rooted racial antagonism and generally did their utmost to keep them from the riches that America had given to so many others. Hoping for the goodwill of white America after serving in a war that had changed much of the world, instead black Americans got the back of its hand. [*American Nightmare*, p. 176]

As President Roosevelt shifted the country to a war footing in 1941, the NAACP promoted its “Double-V” campaign of victory over the Axis and racism. This campaign aimed to eliminate segregation in the military as well as open access to the thousands of jobs in war-related industries around the country:

Indeed many blacks believed at the beginning of World War II that the homefront battle against racism was fully as important, if not more so, than that against the Axis, a stance pointedly challenging the overwhelming white endorsement of segregation in both civilian and military life. Though African-Americans as a whole remained a long way from the cohesiveness that would in another generation play a critical role in civil rights gains, determined men and women, civilian and military, black and white (especially judges in this latter group), had by Pearl Harbor begun to dislodge Jim Crow from its position of unassailability. [*American Nightmare*, p. 177]

Efforts to secure President Roosevelt’s support for these changes in racial relations met with little success. With the Nation increasing its mobilization, the U.S. Army had 230,000 soldiers, but fewer than 5,000 African-Americans and only a dozen African-American officers. [*Rising*, p. 206]

On September 27, 1940, A. Philip Randolph met with the President, along with Walter White of the NAACP and Mary LcLeod Bethune, an African-American leader, to emphasize the need to include African-Americans in the war effort. As a result of this meeting, the War Department issued a “Policy in Regard to Negroes” on October 9, 1940. The policy announced plans to establish “Negro organizations . . . in each major branch of the service, combatant as well as noncombatant.” This did not mean racial groups would be combined:

The policy of the War Department is not to intermingle colored and white enlisted personnel in the same regimental organization. This policy has proven satisfactory over a long period of years and to make changes would produce situations destructive to morale and detrimental to the preparations for national defense It is the opinion of the War Department that no experiments should be tried with the organizational setup of these units at this critical time.

The NAACP denounced the policy in a telegram to the President. “We are inexpressibly shocked that a president of the United States at a time of national peril should surrender so completely to enemies of democracy who would destroy national unity by advocating segregation.” The policy, the telegram stated, was “a blow at the patriotism of twelve million Negro citizens.” Nevertheless, the policy remained in effect throughout the war. [Twichell, Heath, *Northwest Epic: The Building of the Alaska Highway*, St. Martin’s Press, 1992, p. 138]

Around New Year’s, Randolph left by train for a southern tour of Brotherhood offices. He was still frustrated by the President’s response. Talking with an aide, he came up with an idea, as the aide recalled:

“I think we ought to get ten thousand Negroes and march down Pennsylvania Avenue, and protest. What do you think about it?” I said, “I think it’s all right. Where are you going to get the ten thousand Negroes?” he said, “I believe we can get them.”

Randolph began talking about the March on Washington in speeches during the southern tour, coming up with the slogan:

We loyal Negro American citizens demand the right to work and fight for our country.

He set up the March on Washington Committee in Harlem, established branches in 18 cities, and brought the NAACP into the plan. As the idea was gaining interest in African-American communities, he announced in March 1941 that he planned on bringing 100,000 African-American marchers to the Nation’s capital. The campaign hired buses and chartered trains to take African-Americans to Washington for the march on July 1, 1941. [*Rising*, p. 207-208]

President Roosevelt opposed the march at a time when he was trying to rally Americans to work together in the national emergency. The Administration asked the President’s wife Eleanor, Mayor Fiorello La Guardia of New York City, and other representatives of the President to meet with Randolph and the NAACP but they could not reach an agreement that would cancel the march.

In late June, Randolph and other march leaders were called to Washington, where they asked the President to end discrimination in defense industries. As Tye put it, Roosevelt planned to use “the one tried-and-true tactic left: his capacity to enchant.” Randolph saw through the attempt to charm him into giving up the march. He got right to the point:

Mr. President, time is running on. You are quite busy, I know. But what we want to talk with you about is the problem of jobs for Negroes in defense industries. Our people are being turned away at factory gates because they are colored. They can’t live with this thing. Now, what are you going to do about it?

The President refused to issue an order barring discrimination, while Randolph would accept nothing less. Finally, Randolph agreed to work with White House staffers on a compromise. [*Rising*, p. 208]

In return for Randolph's pledge to call off the march, President Roosevelt approved Executive Order 8802 on June 25, 1941, titled:

Reaffirming Policy of Full Participation in the Defense Program By All Persons, Regardless of Race, Creed, Color, or National Origin, and Directing Certain Action in Furtherance of Said Policy.

The Nation's policy was "to encourage full participation in the national defense program" by all citizens," but "needed workers have been barred from employment . . . solely because of consideration of race, creed, color, or national origin, to the detriment of workers' morale and of national unity." Therefore, he reaffirmed the policy that "there shall be no discrimination in the employment of workers in defense industries or government." Although the order did not desegregate the armed forces, President Roosevelt ordered all Federal Agencies involved in vocational and training activities to ensure that discrimination did not hinder participation. The order continued:

All contracting agencies of the Government of the United States shall include in all defense contracts hereafter negotiated by them a provision obligating the contractor not to discriminate against any worker because of race, creed, color, or national origin.

He established the Fair Employment Practices Committee to investigate complaints of discrimination in violation of the Executive order and recommend measures government officials could take to implement the order.

Randolph had to endure criticism for calling off the March on Washington and for not securing desegregation of the armed forces. However, as Tye explained:

Order 8802 generally was recognized as a milestone in racial reconciliation, maybe even the second Emancipation Proclamation that Randolph and his associates claimed. He had pried open the lucrative defense industries to admit black workers and pushed the U.S. government to its most decisive civil rights stance since Reconstruction. He had gone eyeball-to-eyeball with the most charismatic, powerful American president of that era, or any, and made him blink

So successful was the Washington march, or rather the threat of one, that Randolph kept alive both the march and the movement around it. Even as he went on national radio to cancel the July 1 demonstration, he made clear that it was his aim "to broaden and strengthen the Negro March-on-Washington

committees all over the United States, to serve as watchdogs on the application of the President's executive order." [*Rising*, p. 209-210]

Although the Fair Employment Practices Committee did not have an enforcement mechanism, it proved effective in using the threat of unfavorable publicity to open jobs for minorities.

(President Roosevelt amended Executive Order 8802 on May 26, 1943. Executive Order 9346 restated the concerns and directives of the earlier order, but established a new Committee on Fair Employment Practice with a broader role in accomplishing the order's objectives.)

The Executive order applied to Federal contracts. Because the bulk of the Federal-aid highway program involved contracts awarded by State highway agencies, the order initially had limited impact on the Public Roads Administration (PRA, as BPR was known in the 1940s). On December 6, 1941, Commissioner of Public Roads Thomas H. MacDonald issued General Administrative Memorandum No. 140 on "Nondiscrimination in Defense Contracts." He reprinted the order and concluded:

To give effect to the foregoing Executive Order, the special provisions for all defense contracts hereafter negotiated shall contain the following clause:

In the performance of this contract, the contractor shall not discriminate against any worker because of race, creed, color, or national origin

This application limited the provision to contracts awarded for defense highway and defense-related access projects.

However, on March 4, 1942, MacDonald issued two General Administrative Memoranda, Nos. 152 and 153. In both, he reported that the Secretary of Labor had issued regulations covering a range of topics that applied to contractors and subcontractors on public works projects financed in whole or part by loans or grants from the United States. In view of the regulatory change, PRA had modified Pamphlet G (No. 152), which covered PRA contracts citing FP-41 (*Specifications for Construction of Roads and Bridges in National Forests and Parks*). PRA also amended Required Special Provisions (No. 153) for contracts awarded for all regular Federal-aid, grade crossing, and secondary highway projects, as well as projects developed under the Defense Highway Act of 1941.

MacDonald noted in both memoranda that a clause had been added to Pamphlet G and Required Special Provisions pursuant to Executive Order 8802 prohibiting discrimination based on race, creed, color, or national origin. Under these two memoranda, therefore, PRA expanded Executive Order 8802 to all its projects, including those under State contracting authority.

Packard described the President as signing the 1941 Executive order "unenthusiastically." He did so to prevent a divisive March on Washington, but the President did not view the

practical considerations as extending to the military. The President's first duty, as Packard put it, was "to win the war rather than to try to correct the nation's social ills." While calling this distinction tragic, Packard explained that Roosevelt, like Wilson, faced a basic problem:

In fairness to Roosevelt, partisan politics largely shaped the president's options on racial affairs. The president believed that in this area his hands were effectively tied by the South's senators and representatives; if he were to press a social agenda that thwarted their regional interests, legislators from the old Confederacy, men perfectly ready to put their white supremacism ahead of the critical interests of a nation planning and preparing for world war, could and would block the White House's most urgent defense needs. [*American Nightmare*, p. 177-178]

World War II – The Alaska Highway

The attack on Pearl Harbor in Hawaii on December 7, 1941, would bring the United States into the war, but it also raised a concern that the U.S. Territory of Alaska was vulnerable to Japanese attack. The Aleutian Islands off southwest Alaska were closer to Japan than any point in North America. Overland travel by car, truck, or train between the United States and Alaska through northwestern Canada was not possible; Canada did not have an incentive to build a connecting road north of Dawson Creek to Alaska across the rugged topography of its northwest to the American Territory. Construction of a land route to Alaska, long supported by Alaskan officials, now became a necessity – and the sooner the better. (Initially, the project was referred to as the Alcan Highway, but on July 19, 1943, Canada and the United States exchanged diplomatic notes formally naming it the Alaska Highway.)

Previous studies had focused on the best route, but disagreements on need and routing had held up the project. Now, speed was essential to military needs. President Roosevelt approved the project on February 11, 1942, and an agreement for U.S. construction of a road in Canada was reached on March 18. The Alaska Highway would stretch northwest from Dawson Creek through Fort Nelson and Whitehorse in Canada, and via Tok Junction to Big Delta southeast of Fairbanks, Alaska. At Big Delta, supply trucks and other traffic could connect with the Territory's road network.

In the interest of speed, officials decided to build the road in two phases. A pioneer road would be carved out of the difficult terrain in 1942 to open the route for supply trucks by year's end. With military traffic flowing, officials would have time in 1943 to build a permanent road on the best alignment.

The U.S. Army Corps of Engineers was to build the pioneer road, with Army engineering units and contractors furnished and directed by the PRA. Initially, the Army divided the 1,500-mile project into five segments, with PRA contractors responsible for the portion from Whitehorse to Big Delta, about 560 miles. After reconnaissance revealed the

difficulties, PRA's work was extended 100 miles east to Teslin. As the Federal Highway Administration's Bicentennial history put it:

In actuality, however, it was a combined effort with overlapping work responsibility, shifts in priorities, and a great deal of truly cooperative effort from the time of the arrival of the first Army troops at Dawson Creek on March 10, 1942, to the removal of all contractor personnel and supervisory engineers of Public Roads at the end of October 1943. [*America's Highways 1776-1976*, Federal Highway Administration, 1976, p. 532]

With so many soldiers needed to fight the war in the European and Pacific theaters of operation, the U.S. Army was in need of men for their half of the project. The units initially designated for the project would not be able to complete the job in the 8 months allotted for the pioneer road. African-American troops were the solution. Since approval of the Selective Service Act of 1940, they had been drafted into the Army on the same terms as whites, but as Heath Twichell explained in his book on the Alaska Highway, "Segregation's legacy of bigotry and prejudice severely limited the possibilities" for the work they would do:

As a result, relatively few black infantry, armor, or artillery units were organized during World War II In the end, black soldiers were assigned to more than their share of units engaged in low-tech, high-sweat duties in the Engineers and Quartermaster Corps. Although the Corps of Engineers put most of its new black soldiers into general-purpose construction battalions and regiments, shortages of heavy equipment sometimes resulted in the black units' being issued fewer bulldozers and more shovels and wheelbarrows than the white units got.

Another touchy issue was where to station the new black units. In the United States, military leaders felt they had to worry about the impact of large numbers of young black soldiers on nearby civilian communities. [*Northwest*, p. 97-98]

Shipping young African-Americans in engineering units to Canada to build the Alaska Highway solved these problems.

Three African-American units—the 93rd, 95th, and 97th Engineers—would be shipped to Canada to supplement the white units assigned to the job. All, white and black, faced training problems "in the face of equipment shortages, disruptive moves and changes, and the repeated loss of experienced men to provide cadres for newer units." [*Northwest*, p. 140-141] However, the African-Americans faced unique problems, as Professor Ken Coates discussed in his book on the highway:

Many locals commented, with evident sympathy, on the plight of the black soldiers dispatched to work on the highway. These men had particular difficulty because so many were from the American South and had never before experienced a real winter. One army officer alleged that "Our colored boys are allergic to cold weather, and it's going to be a problem to keep them well and

happy I fear.” Gordon Gibbs [a Vancouver truck driver who helped with transport of supplies] excoriated the U.S. Army for sending troops from the Deep South into the Far Northwest, and then housing them in bell tents. “Now the story was,” Gibbs says, “and this I saw, they all had good eiderdown sleeping bags, army issue sleeping bags. And they’d cut the bottom out and they’d wear them. Of course, the feathers kept dribbling out.”

After struggling through long difficult trips to reach the site with their equipment, the African-American troops found that their best equipment would be shifted to the white units. The disparity was evident in many areas:

Jim Sutton, an American [white] soldier, believes that the black troops got a dirty deal. He says, “They were up here when we got up here. We were put in barracks, wooden barracks, and we had stoves and everything. These poor black people were doing the same job as we were and they had them in tents. I didn’t think that was really fair.”

Most of the tales about the black troops contain two elements – memories of men as excellent workers and references to their intense dislike of the cold. One officer wrote, “During the most severe weather encountered, it is believed that Negro troops, properly led, have accomplished more physical labour than other troops in the same area engaged in similar work.” Ruth Gruber, an official with the U.S. Department of the Interior, quoted the soldiers’ officers as saying, “The Negroes were better soldiers and builders than the whites. They put our gold-bricks [slackers] to shame. We never had a bit of trouble with them; they policed themselves . . .” Today, it is clear that the black soldiers managed to perform as well as the white soldiers, despite the disadvantages imposed by a racist and discriminatory age. [Coates, Ken, *North to Alaska!*, University of Alaska Press, 1992, p. 104-105]

The young African-Americans had attended the inadequate segregated schools of the Jim Crow South. Their white officers considered them not just uneducated but “slow learners.” In truth, as Twichell explained, the black units contained “relatively few men who had entered military service already possessing a technical skill.” The problem was compounded by “the lack of black leadership and the bigotry of white leaders.” Twichell summarized the attitude of white officers:

Most white officers, especially careerists conscious of the risks to their professional reputation, looked upon duty with black troops as an experience to be avoided if at all possible. Indeed, many officers given such assignments devoted considerable time and energy trying to get reassigned—an effort not lost on the men they were supposed to be leading.

General William M. Hoge, the officer in charge of the project during most of the first year, had what Twichell described as “deep-seated doubts about the efficiency of Engineer units largely manned by unskilled blacks, particularly under arctic conditions.”

He wanted to keep them away from populated areas. Hoge “had no more interest in experimenting with equal opportunity in the middle of the war” than the President or other military leaders. [*Northwest*, p. 146]

In practice, the African-Americans were involved in many phases of construction, often trailing the white troops:

[A]fter cutting an access road over Mentasta Pass from Slana to Tok, Colonel [Stephen C.] Whipple’s 97th Engineers would be used to speed the opening of the northernmost third of the Alaska Highway by helping the PRA and the 18th Engineers close the gap between Whitehorse and Big Delta. Similarly, after opening a trail from Carcross to help the 340th Engineers reach Teslin, one battalion of Colonel [Frank M. S.] Johnson’s 93rd Engineers would start work on the pioneer road from that point toward Whitehorse, while the other began improving the 340th’s newly cut trail to Watson Lake. As for Colonel Newman’s 95th Engineers, neither Hoge nor (subsequently) [his replacement, Colonel James A.] O’Connor could find anything more worthwhile for them to do than to upgrade the pioneer road to Fort Nelson behind the 341st. [*Northwest*, p. 146]

With PRA contractors and Army engineering units working on segments of the Alaska Highway, gaps began to close in August. By the end of September, only the most difficult sections, through eastern Alaska and the southwest corner of the Yukon, remained to be completed. [*North to Alaska*, p. 130]

The final gap was closed on October 29, 1942, south of Kluane Lake. Coates quoted Malcolm MacDonald, British high commissioner to Canada, on the final moments:

The final meeting between men working from the south and men working from the north was dramatic. They met head on in the forest. Corporal Refines Sims, Jr., a negro from Philadelphia [of the 97th Engineers] . . . was driving south with a bulldozer when he saw trees starting to topple over on him. Slamming his big vehicle into reverse he backed out just as another bulldozer driven by private Alfred Jalufka of Kennedy, Texas, broke through the underbrush. Jalufka had been forcing his bulldozer through the bush with such speed that his face was bloody from scratches of overhanging branches and limbs. That historic meeting between a negro corporal and white private on their respective bulldozers occurred 20 miles east of the Alaska-Yukon Boundary at a place called Beaver Creek. [*North to Alaska*, p. 130-131]

A wire-service photographer captured the image of the two men, one white, one black, standing on the bulldozers while shaking hands. The photograph would appear in newspapers around the country, and remains a staple of books and articles about the Alaska Highway.

Officials planned a ceremony on November 15, 1942, to mark completion of the pioneer trail. However, a sudden warming trend caused 1-foot thick ice on the area’s rivers and

streams to break up. Flood waters washed away or damaged several bridges. The ceremony was delayed until November 20, by which time all but the Peace River Bridge had been repaired. (Repair of the Peace River Bridge was completed on November 21.)

Over 200 dignitaries, guests, and journalists from the United States and Canada arrived at scenic Soldiers' Summit on the south end of Kluane Lake for the ceremony. The freezing temperature (-15 degrees fahrenheit) and falling snowflakes did not stop the speeches, but finally the time came for the ribbon cutting that would signal the opening of the Alaska Highway. Coates described the ceremony:

The formal ceremonies were, by all accounts, quite moving. Four enlisted men – Corporal Refines Sims and Private Alfred Jalufka (the two bulldozer operators who had finished the northern section), representing the Whitehorse sector, and Master-Sergeant Andrew Doyle and [African-American] Corporal John Reilly, from the Fort St. John Sector – held the ceremonial ribbon. Captain Richard Neuberger described the highlight of the day's gathering: "The ceremony moved toward a natural climax. At its end, [Canada's Minister of Pensions and National Health Ian] MacKenzie [representing Prime Minister Mackenzie King] and [Alaska's Secretary of State E. L. "Bob"] Bartlett [representing Governor Ernest Gruening] were given a pair of scissors. These scissors had been especially engraved in Alaska gold by William Osborne, pioneer resident of Juneau Mackenzie took one blade of the scissors, Bartlett the other. The crowd became tense. Then the blades closed and the red, white and blue ribbon across the road was severed." After the speeches, spirited if somewhat chilled renditions of "God Save the King" and "The Star Spangled Banner" and a benediction by Captain E. May, U.S. Army Chaplain, brought the ceremony to a close. [*North to Alaska*, p. 132-133]

Although trucks began using the Alaska Highway, winter shut down all but maintenance operations on the road.

(in 1954, Captain Neuberger would win election to represent Oregon in the United States Senate. He served until his death on March 9, 1960. As noted earlier, he was instrumental in securing Davis-Bacon Act coverage for construction of the Interstate System.)

By the time the 1943 construction season began, PRA had its contractors ready to get to work on the permanent location of the Alaska Highway. The contractors kept the pioneer trail in service while building the permanent road, much of it on new location. By mid-July 1943, 81 contractors were on the job employing about 14,000 civilian workmen operating 6,000 heavy units of equipment, including scrapers, power shovels, elevating graders, trucks, motor graders, gravel plants, and sawmills. Forces included 1,850 PRA employees. Working two shifts of 10 hours each day, they completed the major portion of the work between mid-July and the end of October. [Annual Report of the Federal Works Agency, 1944, p. 26]

On October 13, the Utah Construction Company completed work on the last major gap. A stretch of permafrost northwest of Kluane Lake near the Alaska border. All the contractors had ceased operation by the end of the month and on October 31, PRA turned the Alaska Highway over to the U.S. Army Corps of Engineers to maintain for the duration of the war. [*Northwest*, p. 251]

Twichell summarized PRA's contribution:

Of the 1,420 miles of highway across Canada to Alaska that were opened to the public after World War II, about two-thirds (970 miles) consisted of the original Army pioneer road, all of which had been substantially improved and upgraded by the PRA. Another 450 miles of the highway were new – and strictly PRA-built. Here the Army's pioneer road had served its original purpose as an access route and was abandoned thereafter. The wartime cost of the Alaska Highway came to a seemingly modest \$138 million—less than \$100,000 per mile. [*Northwest*, p. 253]

The three African-American regiments had left the road by the end of February 1943

According to historian Douglas Brinkley, the Alaska Highway was “not only the greatest engineering feat of the Second World War; it is a triumph over racism.” He noted that “of the 10,670 troops assigned to fog-bound Alaska 3,695 of them were African Americans,” all with units trained in Alabama, Florida, and Georgia. They were, as he added, seldom mentioned in government press releases or featured in press coverage. Nevertheless, he says:

When Private Refines Simms, Jr., a bulldozer technician with the 97th Engineers, converged with Private Alfred Jalufka, lead driver of the white 18th Engineers, on 25 October 1942 a major construction gap was closed. But the symbolism was even greater: blacks and whites working together for a common cause. Before long the U.S. Army would become integrated, a major step in the African American struggle for racial equality. [Brinkley, Douglas, “The Alcan Highway,” Introduction to Griggs, William E., *The World War II Black Regiment That Built the Alaska Military Highway: A Photographic History*, University Press of Mississippi, 2002, p. 9-10, 12]

Over the years, as public attitudes changed, the African-Americans who helped build the pioneer trail received recognition for their accomplishment. Brinkley interviewed some of the veterans:

They all talked to me about duty for country and reminisced about their harsh living conditions, tasteless food, and bitter winters where frostbite was their primary foe. Stories about wading chest deep into freezing lakes to erect bridge trestles or having a finger fall off when the temperature hit a record -70° F or lowering the coffin of a comrade into the cold ground conjured bleak memories of Jack London's most brutal tales like “To Build a Fire” or “Burning Sun.”

Snowdrifts were often twenty feet deep. “For months on end, I couldn’t get a real night’s sleep,” one veteran recalled. “I had nightmares I was freezing to death.” Although these black soldiers had at their disposal 11,107 pieces of equipment, trucks, tractors, crushers, graders, and bulldozers, breakdowns occurred hourly. The job was daunting. Never before, it seems, had so many survey sticks been hammered into the earth at a given time. To keep morale up they often chanted old southern work tunes like “Steel-Driving Song” and “Swing Low, Sweet Chariot.” With brawn and courage and valor they persevered, completing the Alcan Highway in just over eight months, with the official opening on 21 November 1942. [*Alcan*, p. 10]

This recognition of the African-Americans was thanks in part to Professor Lael Morgan of the University of Alaska-Fairbanks. In 1989, *National Geographic* magazine contracted with her to write an article about the Alaska Highway. As she researched construction of the highway, she became interested in the role of the African-American engineering units. An article by Bill Gifford in *Washington City Paper* described her research efforts:

As she researched the road, she became fascinated by its history, especially the Army’s use of black troops. But those black soldiers had scattered to the winds. The Pentagon could provide no troop lists or regimental directories. None of the three black regiments had ever held a reunion, although such events are common among white units. The 18th Engineers has held regular reunions since the war, and the 340th published a lavish picture book. The blacks had no group history; their memories of military service were undoubtedly less pleasant.

She was frustrated by the lack of interest in the troops by contemporary sources or research by subsequent historians:

Yet she felt the blacks deserved recognition, since they had been deleted from most accounts of the project. The *Trail of ’42*, the most popular history of the highway, includes only three grainy photos of blacks, with no close-ups. She found that the official U.S. Army history of the Corps of Engineers covers the contribution of blacks in a single footnote.

Using a list of some of the men’s names and hometowns she found in an old issue of *Stars & Stripes*, she managed to locate seven veterans to interview.

National Geographic was not interested in Professor Morgan’s approach to the article. The magazine canceled her article, but her contract forbid her from using the material gathered for the magazine in another publication. [Gifford, Bill, “The Great Black North,” *Washington City Paper*, October 8, 1993, p. 30-31]

As she told the Associated Press in 1990:

You go through all the souvenir books of the Alaska highway and all the old news

clippings, you never see a single black face. Nor did any historian know the whereabouts of these people. So I started looking. [Hallifax, Jackie, "Historians plan reunion for black soldiers who worked on Alaska road," Associated Press, date unknown, but probably September 1990]

The 50th anniversary in 1991 provided "the hook she needed," as Gifford explained:

Previous anniversaries had celebrated "the same old stuff, with white soldiers shaking hands," says Morgan, a self-described "pushy broad." "I decided, this time would be different. It would not go down in history as just these white soldiers who built it." [*City Paper*, p. 32]

Because many of the soldiers came from the South, she contacted James Eaton, curator of the Black Archives Research Center and Museum at Florida A&M University in Tallahassee. By combining their efforts, they located some of the men, interviewed them, and documented their accomplishments. Twichell, who had researched the subject for *Northwest Epic*, provided the names and addresses of six of the soldiers. Overall, they located 75 veterans.

In January 1992, Eaton and Morgan sponsored a reunion at the university, with 13 of the veterans participating. An article about the reunion in the student newspaper explained:

There are over 2,000 different celebrations to commemorate the highway's 50th anniversary [sic] but none of them honored, and most hardly mentioned, the black units who represented one-third of the troops, according to Eaton [He] called the soldiers, "A lost page in history." [Lindo, Tresha, "Troops re-united for highway's 50th anniversary," *The Famuan*, January 13, 1992]

These efforts created interest in the subject, such that on July 4, 1992, the city of Anchorage invited several of the troops to participate in the city's parade down Main Street. Two of them, Albert E. France and Donald W. Nolan, Sr., were from Baltimore. Ann LoLordo of *The Baltimore Sun* interviewed them before they departed for Alaska. France was a 75-year old retired railroad worker, while Nolan was a 72-year old retired postal worker. They both recalled, first and foremost, the cold:

"It was awful cold and it snowed for days," recalled Mr. France It was the coldest winter on record in the territory.

"Leather would freeze," recalled Mr. Nolan "We'd take galoshes, rubber galoshes – we called them 'Arctics' – and we'd wear three, four pairs of socks. We would double up on pants. We slept on the ground in pup tents."

Food was never plentiful. C-rations, bittersweet chocolate and "hardcracks" might be all a soldier would get to eat after the harsh climate cut off supply routes.

“We’d kill a bear, a huge black bear,” said Mr. Nolan, “about 9, 10 feet high, and those chops were delicious.”

When the snow stopped, the rains started and the rivers swelled. In summer, mosquitoes droned like airplanes and the “muskeg,” a uniquely Alaskan bog, swallowed tractors

In that barren landscape, the off-work hours could seem exceptionally long.

The commander, General Simon Bolivar Buckner, Jr., had accepted the regiments reluctantly and prohibited them from visiting towns and cities along the route:

The men entertained themselves shooting craps and throwing horseshoes and playing ball when the weather broke.

Looking back, Nolan said he was glad to have served on the project. “You have something to tell your kids.” [LoLordo, Ann, “Black GIs helped carve a road across frozen hell,” *The Baltimore Sun*, July 4, 1992]

(The November 1991 issue of *National Geographic* contained Richard Olsenius’ article “Alaska Highway – Wilderness Escape Route.” The author described his trip along the highway, with only a brief reference to its construction during the war. Fifty years earlier, Olsenius explained, it “was hacked out of virtually trackless bush in a mere eight months.” A two-page map, with two construction photos, contained a brief explanation that the highway “was built at eight miles a day during World War II to counter any invasion by Japanese forces—who thanked workers in a propaganda broadcast for opening a way for their own troops.” The article did not mention the contribution of the African-American units to construction of the pioneer trail in 1942.)

World War II – The Red Ball Express

In addition to construction jobs in engineering units, African-American troops often were confined to service units, including trucking units, as journalist David P. Colley explained:

Although some trucking units consisted of all whites, about 70 percent of the transportation companies were manned by African Americans because most blacks were relegated to service units. It had been the Army’s attitude for years, dating back to the eighteenth century, that blacks lacked the intellectual capacity and the fortitude to fight in integrated combat units Of course, African Americans did more than drive trucks. They manned engineer units that kept open the supply routes, they served in ordnance companies that maintained trucks and depots, and they comprised 77 percent of the soldier-stevedores in port battalions who unloaded the ships bringing in supplies to the ETO [European Theater of Operations] from Britain and America.

Blacks also served in a few segregated combat units. The largest of these were the 92d Infantry Division, which fought in Italy, and the 93d Infantry Division, which served in the South Pacific. The most famous of the black combat units was the 332d Fighter Group, better known as the “Tuskegee Airmen,” which consisted of the 99th, 100th, 31st, and 302d Fighter Squadrons. [Colley, David P. *The Road to Victory: The Untold Story of World War II's Red Ball Express*, Brassey's, 2000, p. 6-7]

All armies depend on their service units for food and supplies. Adolph Hitler had learned this lesson by failing to heed it early in the war when Germany, severely lacking in trucks, could barely service its blitzkrieg forces. The German blitzkrieg or “lightning war,” involved the use of overwhelming force via tanks, infantry, artillery, and air support moving at high speed to break through enemy lines. After the initial breakthrough, the blitzkrieg forces continued forward without pausing to establish supply lines. In the early stages of the war, Germany employed the blitzkrieg to defeat Poland (1939), the Low Countries (Belgium, Luxembourg, and The Netherlands) and France (1940), and the Red Army (1941 and 1942), all of them unprepared for this tactic.

The problem with racing beyond your supply lines was that the troops needed those supplies, as Colley described:

To supply mechanized forces, particularly with gasoline, in a fast-moving war became a seemingly impossible task The bulk of the German army marched on foot and was supplied by horse and wagon. These slow-moving infantry and supply formations used the same roads as the trucks that supplied the forward mechanized units. The highways became congested by the marching troops and horse-drawn wagons. [*Victory*, p. 44-45]

In 1944, this lesson was not lost on General Dwight D. Eisenhower and other allied leaders as they planned the D-Day invasion along a 50-mile stretch of German-fortified beach at Normandy in northern France on June 6, 1944. After airlifting 24,000 troops into the area, the Allies launched the largest amphibious invasion ever, with 175,000 troops stepping foot on the beach under German attack.

Supplying such a large force as it moved off the beach would not be easy under any circumstances. In this case, the difficulty was compounded because the Allies had been bombing the rail network in northern France to slow Germany's supply efforts in the captured country. The Allies knew they would have to establish a supply line, and quickly, to support the plan to chase the Germans across northern France into Germany. Gasoline, necessarily, was at the heart of the Allied battle plan:

Gasoline was the most critical commodity after the breakout. The Shermans [tanks] alone guzzled fuel at a rate of one gallon per 1-2 miles during combat. In the logistical calculations for the armies, a quarter of all supplies needed to sustain the drive into Germany was in the form of petroleum products, mostly gasoline. [*Victory*, p. 47]

As the First and Third American Armies pressured the German Seventh and Fifth Panzer Armies, trucks supplied huge amounts of gasoline to fuel the advance:

“With thirty-six divisions in action we were faced with the problem of delivering from beaches and ports to the front lines some 20,000 tons of supplies every day,” Eisenhower wrote in *Crusade in Europe*. As more divisions poured into Europe, the need for supplies would only add to the strain of delivering them to the front. “When battling in a fixed position, most of this tonnage is represented in ammunition; on the march the bulk is devoted to gasoline and lubricants, called in the language of the supply office, POL (petroleum, oil, lubricants),” Eisenhower wrote. [*Victory*, p. 43]

Trucks struggled to keep up with the advancing army’s need for POL, particularly after Eisenhower authorized the American Army to advance beyond the Seine River. In late July, the Allies finally broke the Germany lines and began forcing them back. By August, Command Zone headquarters, which was responsible for maintaining lines of communication and logistics, was searching for a solution to the supply problem.

The answer came from the Transportation Corps’ Motor Transport Brigade (MTB), which had overall command of the trucking companies. The MTB Chief, Lieutenant Colonel Loren A. Ayers, and Major Gordon K. Gravelle came up with the Red Ball Express. The term had been in common use among railroads for express shipping, and it had been used for other operations during the war. However, the Red Ball Express following the Normandy invasion would earn a special claim to the name.

The plan was to gather nonessential trucks from throughout the European Theater. Although General Eisenhower had wanted tractor-trailers for the Red Ball Express, the primary vehicle was the versatile 2½ ton six-wheel-drive General Motors truck nicknamed the “Jimmy” and “deuce-and-a-half.” They would operate 24 hours a day on two designated two-lane, one-way roads, reserved almost exclusively for the trucks, totaling around 600 miles at the peak of service. The northern route was closed to all traffic except convoys delivering supplies, while the southern route was closed to all but returning trucks.

The Red Ball Express began operating on August 25, 1944, with 67 truck companies, 3,358 trucks, mostly Jimmies, carrying 4,482 tons of supplies on a 125-mile run from Cherbourg to the forward logistics base at Chartres. Just 4 days later, the Red Ball Express included 132 truck companies and 5,958 vehicles. [*Victory*, p. 49]

This massive supply initiative required drivers, and that meant African-Americans:

What is most often overlooked about the Red Ball operation, as well as the war in Europe, is the contribution made by the African American soldiers assigned to Quartermaster and Transportation Corps units. Although three-fourths of Red Ball drivers were black, and the majority of the quartermaster truck companies in

the ETO were manned by blacks, African American troops represented less than 10 percent of all military personnel in World War II. When the call went out to form the Red Ball Express, African American troops, in large measure, kept the supply lines rolling. [*Victory*, p. xv]

On average, as many as 900 vehicles operated around the clock. They usually operated in convoys consisting of at least five trucks with Jeep escorts in front and back, although individual trucks sometimes made the run.

Drivers in convoy were instructed to maintain 60-yard intervals to present less of a target to German bombers and a top speed of 25 miles per hour for safe operation. Passing was not allowed. During night runs, drivers had to operate without lights, using “cat-eye” headlight covers more to mark their presence than to see the road. The trucks were stopped for 10 minutes each hour to give the drivers a break.

As Colley pointed out, such a large-scale motorized supply operation was unprecedented:

The Red Ball Express was a seat-of-the-pants operation, organized in extreme haste, with frequent administrative and operational breakdowns. Problems were most apparent at the beginning but continued throughout its existence. Truck drivers often avoided the Red Ball Highway to take side roads, bypassed regulating stations, ignored speed limits and maintenance, and cursed at MPs who tried to bring them in line

MTB officers immediately established traffic-control points (TCPs) that operated around the clock at principal intersections and in towns. The job of TCP personnel was to regulate convoys or any other vehicles, civilian or military, that used the dedicated highway and to ensure that Red Ball convoys had the right-of-way in all cases. TCP troops kept daily records of the arrival times of passing convoys and logged their destinations, weights, and the classes of supplies that they carried. TCP personnel also were required to have maps of alternate routes for non-Red Ball vehicles, as well as maps of the Red Ball route that showed the location of refueling points and maintenance shops for legitimate convoys and vehicles. [*Victory*, p. 87]

Military police were posted along the roads, with control of drivers intent on their mission:

The job of the MPs in traffic control on the Red Ball was critical to the success of the operation. There were thousands of vehicles on the highway, all in a hurry and all expecting priority treatment, but there were never enough MPs and those assigned to the Red Ball had too many other responsibilities There were hundreds of miles of Red Ball Highway to patrol, intersections to manage, detours to point out, and bridges to guard [*Victory*, p. 91]

The way was marked by colorful signs to keep the drivers on the route. An oft-reprinted photograph shows a sign reading:

RED BALL HIGHWAY
STAY ON THE
BALL
KEEP 'EM ROLLING!

Maintenance vehicles were posted along the route to repair disabled trucks. The Army opened bivouac rest areas where exhausted drivers could rest and get a hot meal.

Allied reconstruction of the French railroad system brought the Red Ball Express to an end on November 16, 1944:

The reconstruction of the French rail system and the creation of truck-to-rail transfer points meant that some materiel once sent by truck across France now could be transported by rail. Trucks no longer had to make the long journey back to the invasion beaches. The need for the Red Ball diminished daily.

From its peak performance when it transported 12,342 tons of supplies on 29 August, the Red Ball settled down to haul an average of 5,088 tons per day until 25 October when the loads dipped to an average of 2,711 tons daily. From then on, to the last day of the operation, tonnages declined. On 1 November, total tons carried on the Red Ball declined to 1,644 daily and seldom went above 2,000 tons thereafter.

From a high-water mark when some 132 truck companies served on the Red Ball during the first week of September, only 5 companies were left by mid-November, Red Ball's last week. On average, some 83 truck companies served on the Red Ball during its eighty-one days of operation, with an average of 899 trucks operating on the highway on any given day. [*Victory*, p. 183]

The Red Ball Express was a conveyor belt on wheels carrying supplies until the rail network could carry the load. During its brief existence, African-American drivers performed a vital mission that was dull, hard work. General Eisenhower acknowledged the value in an October 1 message to the officers and men of the Red Ball Express. After explaining the importance of supplying the fighting troops, he said:

On the continent, the Red Ball Line is the lifeline between combat and supply. To it falls the tremendous task of getting vital supplies from ports and depots to the combat troops, when and where vital supplies are needed, materiel without which the Armies might fail.

To you the drivers and the mechanics and your officers, who keep the Red Ball vehicles constantly moving, I wish to express my deep appreciation. You are doing an excellent job.

But the struggle is not yet won, for the enemy still fights. So the Red Ball must continue the battle it is waging so well, with the knowledge that each truckload which goes through to the combat forces cannot help but bring victory. [*Victory*, p. 186-187]

The contribution of African-Americans to the Red Ball Express has not been forgotten. The 1952 film *Red Ball Express* featured some African-Americans, including Sidney Poitier. In 1973, CBS aired a situation comedy called *Roll Out!* about the adventures of a largely African-American trucking company on the Red Ball Express. Following in the footsteps of the iconoclastic Korean War comedy *M*A*S*H* (1972-1983), *Roll Out!* used World War II for a commentary on segregated race relations. The show lasted 12 episodes.

In 2003, the rock group, Scott Miller and the Commonwealth, included a song called "Red Ball Express" on their *Upside/Downside* album. The song told the story from the perspective of an African-American soldier looking back on his experience as a Red Ball driver. He recalls the day-to-day experience:

All we do is keep it rolling on
Trading bodies for petroleum
Heating rations on the manifold
And never sleep enough to dream about home.

Looking back, he thinks about:

Looking through cat eyes
Of a deuce and a half and a days supply
Of jerry cans in back . . .
Even now I've never felt that cold
Because fifty years later and you don't forget
Being eighteen and scared to death
In a world that's changing fast.

On June 6, 1994, the United States Postal Service issued a 29-cent stamp honoring the Red Ball Express as part of a 50th anniversary commemoration of the Normandy D-Day invasion called "The 1944: Road to Victory."

The phrase Red Ball Express would be revived in subsequent wars for express supply routes, but Colley summed up the reason why the Red Ball Express following the D-Day invasion made an impression that is recalled today:

The operation is remembered, in part, because it fits so well into American folklore. Americans have had a long love affair with the road and the truck. The speeding Red Ball drivers, thumbing their noses at military authority and the enemy to speed supplies to the front and to victory, symbolized American

individualism and embodied the spirit of the frontiersmen and cowboys who had tamed the American continent. The Red Ball drivers were the first true road warriors [*Victory*, p. 205]

The Family Vacation

After war's end in 1945, pent-up demand for travel was unleashed during an unexpected economic boom that erased fears the Depression of the 1930s might return. Travelers took advantage of the network of two-lane paved roads that had been built in the 1920s and 1930s under the Federal-aid highway program. This network—much of it part of the U.S. numbered highway network—constituted the Nation's first interstate highway system. (The inadequacies of this network were to be corrected with construction of the Interstate System described in the two reports to Congress mentioned earlier, *Toll Roads and Free Roads* (1939) and *Interregional Highways* (1944).)

Professor Susan Sessions Rugh, in her book about American family vacations, explained that the availability of this highway network was only one of the factors contributing to the post-war rise in leisure travel. Another factor was the growth of vacation benefits for American workers:

More middle-class families could afford to take vacations because of the increasingly liberal vacation benefits awarded American workers in the late 1940s. A Department of Labor report in 1948 declared that “paid vacation clauses are now a standard feature of union agreements in most industries.” By the end of 1944, 85 percent of union agreements contained vacation provisions for workers

In the following decade, paid vacations became widespread (93 percent of collective bargaining agreements contained vacation provisions in 1949), and provisions were liberalized. Two innovations occurred: reducing the length of service required to earn vacation time, and awarding longer vacation periods for time of service. Vacation provisions thus expanded from one week for one to four years of service, to two weeks after as little as two years of service. And upper-rank workers could expect to be paid for a three-week vacation with fifteen years of service. By 1956, only 18 percent of hourly employees were held to a two-week ceiling of vacation, and paid holidays were more common. [Rugh, Susan Sessions, *Are We There Yet? The Golden Age of American Family Vacations*, University Press of Kansas, 2008, p. 17]

The expansion of car ownership was another factor:

Car ownership by families rose from 54 percent in 1948 to 77 percent in 1960 and 82 percent by 1970. The family car was a home on wheels, an extension of the domestic space, and thus represented a sense of security for the traveling family on the road. [*Are We There Yet?*, p. 18-19]

Even as America took to the road, white and black travelers could expect a very different experience, as African-Americans traveling the Nation's roads before the war well knew:

Travelers in Jim Crow America—where whites and blacks were made to use different restrooms, drink at different water fountains, eat in different restaurants, and stay in different hotels—were citizens as well as consumers. Discrimination against black travelers meant that vacationing was a fundamentally different experience for them than it was for white families in cold war America. It was an uncertain, even fear-filled, experience because blacks never could be sure that they would find places to sleep and eat on the road. Indeed, African Americans often feared for their safety, even their very lives, as they traveled the dark highways of the Deep South [*Are We There Yet?*, p. 69-70]

Among the obstacles to pleasure travel, they had to anticipate passing through “sundown towns” that prohibited any African-Americans from being within their borders after sundown. Author James W. Loewen dated this phenomenon to the 1890s. Before then, African-Americans could live anywhere in the country, although most remained in the South. As discussed earlier, racism had increased over the years after the Civil War, aided by court decisions and local action. “The idealism spawned by the Civil War,” Loewen stated, “was fading too, as memories of the war dimmed.” By the 1890s, only one in three Americans had been alive during the war, and millions of immigrants had arrived after it ended.

Within this context, Loewen attributed the creation of sundown towns to “the three i’s”: Indians, immigration, and imperialism. First, the army’s destruction of the Indian camp at Wounded Knee in South Dakota on December 29, 1890, brought an end to the Indian wars, prompting the attitude that, “If it was okay to take Indians’ land because they weren’t white, wasn’t it OK to deny rights to African Americans, who weren’t white either?” Second, immigrants understood the advantage of identifying with whites and holding down African-Americans, in part because they were competing with them for low-wage jobs.

As for the third “I,” Loewen explained that with the country dealing with sovereignty issues following the addition of dependent countries in the wake of the Spanish-American War (1898), “Imperialism was sweeping the West, and it both depended upon and in turn reinforced the ideology of white supremacy.” This ideology, he stated, had been at the heart of the call of “Manifest Destiny” that had pulled the American people across the continent. [Loewen, James W., *Sundown Towns: A Hidden Dimension of American Racism*, A Touchstone Book, Simon and Schuster, 2006, p. 30-32]

From these and other causes, sundown towns spread across the country:

Beginning in about 1890 and continuing until 1968, white Americans established thousands of towns across the United States for whites only. Many towns drove out their black populations, then posted sundown town signs Other towns passed ordinances barring African Americans after dark or prohibiting them from

owning or renting property; still others established policies by informal means, harassing and even killing those who violated the rule. [*Sundown Towns*, p. 4]

Such towns included cities of many sizes and income ranges as well as suburban communities in all parts of the country. By allowing African-Americans to be within the city limits only during daylight hours, the towns retained access to service employees. To make the restriction clear to all travelers, sundown towns often posted signs on the main roads with variations of “WHITES ONLY WITHIN CITY LIMITS AFTER DARK.” In an era before “political correctness” had been conceived, many of the signs used blunter language.

Loewen wrote that in general, “travel was difficult and often unsafe for African Americans, and not just in the South Older African Americans can still recall how trips had to be meticulously planned to reach places with restrooms or overnight accommodations in a timely manner.” Sundown towns added to the uncertainty and potential for humiliation:

Although any stop for gas, food, or lodging might prove humiliating to the black traveler, sundown towns posed the worst hazards. In other towns, even if hotels and restaurants refused to serve African Americans, they could secure shelter within the black community. Sundown towns had no black community, of course. Worse still, black travelers were acutely aware that they stuck out in these all-white towns, not only as unusual but also as illegitimate and unwanted.

Some communities did not post signs to alert travelers. African-American motorists had to find a way to avoid these communities and the public accommodations that would not serve them:

Until well after the passage of the 1964 Civil Rights Act, which outlawed segregation in public accommodations such as restaurants and motels, African Americans coped by compiling guidebooks of places that would not harm or embarrass them Families also assembled their own lists and shared them with friends. [*Sundown Towns*, P. 343]

Professor Rugh described these guides:

To resist Jim Crow, by the 1930s blacks had created an entirely separate tourist infrastructure, including their own travel guides and travel agencies that directed travelers to places where they would be welcome without fear of humiliation. [*Are We There Yet?*, p. 70]

The *Green Book* (1936-1966) and *Travelguide* (1946-1955) “attempted to spare black travelers that humiliation.” Victor Green modeled his guide on Jewish travel guides, listing hotels, motels, tourist homes, and restaurants that would serve African-Americans. Rugh quoted the foreword to the 20th anniversary edition, published in 1956, stating that the guide “has made traveling more popular, without encountering embarrassing

situations.” *Travelguide* included similar listings but “was a more racially assertive publication with the motto: ‘Vacation & Recreation Without Humiliation.’” [*Are We There Yet?*, p. 77]

In June 1955, *Ebony* magazine reported that conditions were improving “in the South and Throughout America for Negroes who travel the highways.” Even in the South, “Motels worth more than \$3 million have been built in Dixie for Negro guests.” The magazine added, “Still more are being planned.” The situation had improved since World War II:

Until the end of World War II, few white motel operators were willing to accept Negro patronage. In recent years, however, discrimination against the naturally tanned traveler has declined noticeably along the highways [Many] white motels in the North and West have voluntarily opened their doors to Negroes. In the far west where motor courts are plentiful, Negro motorists are likely to find the going easiest.

Still, the welcome was uncertain:

In Kansas last year, for example, a Negro couple was admitted to a white court on condition that they disappear before daylight. “We wouldn’t want to offend anyone,” the owner explained timidly. And in Oklahoma, a Negro family was lodged at a white motel for two days after they agreed to “pass” as Mexicans during their stay.

At the University Motel in Atlanta, “Clientele is mainly Negro, but state law permits motels to accept whites, manager says, if they do not share rooms with Negroes.”

The article added:

Encouraging though the motel picture is, travel accommodations for colored people are still too few and too scattered. In 1955, for example, 3,500 white motels would put up dogs, but less than 50 unhesitatingly said they would house Negroes. [“Hotels on the Highway,” *Ebony*, June 1955, p. 92-103]

Professor Rugh began her chapter on “Vacation with Humiliation” by quoting July 1963 testimony by Roy Wilkins, executive secretary of the NAACP, before the Senate Committee on Commerce. He asked the Senators to imagine themselves “darker in color” on an auto trip across the country:

How far do you drive each day? Where and under what conditions can you and your family eat? Where can they use a rest room? Can you stop driving after a reasonable day behind the wheel or must you drive until you reach a city where relatives or friends will accommodate you and yours for the night? Will your children be denied a soft drink or an ice cream cone because they are not white?

When questioned by Senator John O. Pastore [D-RI] as to what families did in these circumstances, Wilkins admitted, “You take your chances. You drive and you drive and you drive.” Unable to stop when tired because there were no accommodations, he said, “You keep on driving until the next city or the next town where you know somebody or they know somebody who knows somebody who can take care of you.”

As Professor Rugh put it:

Discrimination against black travelers meant that vacationing was a fundamentally different experience for them than it was for white families in cold war America. It was an uncertain, even fear-filled, experience because blacks never could be sure that they would find places to sleep and eat on the road. Indeed, African Americans often feared for their safety, even their very lives, as they traveled the dark highways of the Deep South. [*Are We There Yet?*, p. 68-69]

Rugh added, “While African American highway travelers expected to have trouble in the South, they were frequently denied accommodations in the North.” Restaurants were a particular problem:

Traveling families also faced discrimination at restaurants along the road, all over the country. In the late 1940s, blacks who wrote to the NAACP complained of being refused service in the Midwest (Bloomington, Indiana, and Zanesville, Ohio); the West (Reno, Nevada); and the Northeast (Port Jefferson, New York)—all outside the South. Even in 1961, so many black tourists from the South along Route 66 in Illinois were refused restaurant service that they took to bringing their food along and eating in their cars, “rather than chance being embarrassed.”

After citing examples found in her review of letters to the NAACP, she explained why traveling was so different than experiences at home, even in the South:

At home they might know how to avoid places that would treat them that way, but on the road they were in unfamiliar territory and especially vulnerable to humiliation. Their treatment was made even more humiliating because it was in front of their family. Members of their family could see that they were denied the privileges of citizenship, and that they were powerless to obtain their rights. And because they were on vacation and did not want to provoke a confrontation, parents were less likely to insist on fair treatment. [*Are We There Yet?*, p. 74-77]

In 1987, Courtland Milloy, Jr., an African-American columnist with *The Washington Post*, wrote about a trip that he and his father made to their home State of Louisiana “to see what had changed during the past 30 years.” His father, a businessman in Shreveport, drove his ivory-colored Mercedes 420 SEL.

Milloy's parents told him that he could not remember how bad it was back then:

"I remember you were just a little baby, riding in a basket on the back seat of the car, on our way to see your grandmother," my mother recalled before we left. "The car broke down in Hope, Arkansas, and do you know the white people there would not let us heat up your bottle? My baby had to drink cold milk."

During the 1950s and into the '60s, Mother would spend the evening before the trip frying chicken and boiling eggs. We thought it was because Mom knew we liked to eat and ride at the same time. The truth was harder to swallow.

"After riding all day, I'd say to myself, 'Wouldn't it be nice if we could spend the night in one of those hotels?'" Mom recalled, "or, 'Wouldn't it be great if we could stop for a real meal and a cup of coffee?' We see the little white children jumping into motel swimming pools, and you all would be in the back seat of a hot car, sweating and fighting."

Driving through Arkansas, Milloy's father told him:

"Back in the old days, a black man with a new car would drive real slow on a road like this," Dad said as we passed the cotton, bean and rice fields en route to Earle. "The police would be looking for a reason to pull you over, humiliate you in front of your family or, if you were alone, just brutalize you."

At night, the Milloys pulled into a Ramada Inn in West Memphis:

I thought about what my mother had said, how ridiculously painful it must have been for blacks to have once been barred from public accommodations.

But there was no sign that now. Two young black women, Lisa James and Shirley Brown, greeted Dad and me at the reception desk and went out of their way to make us feel at home

The next day we ate breakfast—served by a white woman—and didn't think twice about it.

As they drove that day, Milloy's father recalled an incident from his childhood:

"A black kid from Memphis was riding his bicycle along the sidewalk and ran into a white woman," Dad recalled. "The police beat that child half to death, took him to jail and confiscated his bike. A friend of the family was a custodian at the jail and after some months had passes, he asked if he could have the bike and gave it to me. That's how I got my first bike," he said sadly.

In Earle, they found that the family home had burned down and that few of his father's friends remained behind. They headed for St. Louis where his father had attended

Vashon High School because Earle did not have a high school for African-Americans at the time. He excelled, worked in a war-bonds office and on the fuselage assembly line for the McDonnell Aircraft Company, while saving enough money to attend Tuskegee Institute in Alabama. There, he met his wife who would become the journalist's mother.

His father overcame the “tragedies, the hardships and sacrifices” to become a successful businessman:

I'm proud of my dad, and thankful that he passed on to me some of the lessons he learned the hard way. I wonder sometimes if it would have been better for me to learn them the hard way, too, instead of comfortably in the new world my dad and so many other black men fought to build.

But today, I'm happy to be riding in comfort with my dad along a road where we both feel free. [Milloy, Jr., Courtland, “Black Highways,” *The Washington Post*, June 21, 1987.]

World War II was a dividing line for on-the-road discrimination. Before the war, African-American travelers for the most part had to accept the order of things. After serving in the war or seeing their loved ones fight for freedom, African-Americans felt the sting of humiliation more sharply. “War veterans thought that they deserved better treatment, given their service to the nation.” [*Are We There Yet?*, p. 75]

Post-war complaints prompted the NAACP to increase its efforts against travel discrimination:

In the late 1940s these practices were brought to the attention of Thurgood Marshall, special counsel to the NAACP, who notified the offending hotels that they were in violation of state law and that he would ask the district attorney's office to intercede with the Hotelmen's Association. After a 1947 embarrassment when Negro delegates to the United Nations Educational, Scientific and Cultural Organization brought suit against a Denver, Colorado, hotel for denying them accommodations, the NAACP became proactive in checking out hotel procedures before conferences

As more black travelers refused to accommodate Jim Crow, the NAACP pursued a strategy of putting pressure on two national restaurant and hotel chains, Howard Johnson's and Hilton Hotels.

Marshall, driving with a companion, had experienced an incident at a Howard Johnson restaurant in Elizabeth, New Jersey, that prompted the company to send a letter of apology:

The NAACP had documented a consistent pattern of discrimination at Howard Johnson restaurants, and Thurgood Marshall had extracted an apology from the chain regarding an incident in 1941. In 1947 Marshall was refused service at the

same Elizabeth, New Jersey, restaurant (certainly not a coincidental choice), and he lost patience with corporate executives' promises. [*Are We There Yet?*, p. 85]

He eventually sued for \$500 in damages.

President Lyndon B. Johnson recalled an incident in the early 1950s that awakened him to the difficulties African-Americans faced in traveling around the country. Rugh explained that when Johnson was in the Senate, he and his life would fly between Texas and Washington, while their maid Helen Williams, her husband Gene, and their cook, Zephyr Williams, would drive the 1,300 miles. One year, Johnson asked them to take the family beagle in the car with them. When Gene Williams hesitated to take the dog, Johnson asked why. In a memoir, Johnson recalled Williams' explanation:

We drive for hours and hours. We get hungry. But there's no place on the road we can stop and go in and eat. We drive some more. It gets pretty hot. We want to wash up. But the only bathroom we're allowed in is usually miles off the main highway. We keep goin' 'til night comes—'til we get so tired we can't stay awake anymore. We're ready to pull in. But it takes another hour or so to find a place to sleep. You see, what I'm saying is that a colored man's got enough trouble getting across the South on his own, without having a dog along. [*Are We There Yet*, p. 89]

Journey of Reconciliation

The case of Irene Morgan was one of those championed by the NAACP. On July 16, 1944, following a miscarriage, the 27-year old Morgan bought a Greyhound ticket to go from Gloucester County, Virginia, to Baltimore, Maryland, for a doctor's appointment. The mother of two sat in the "Colored Section" near the back of the crowded bus, but when a young white couple boarded the bus, the driver asked her and two seatmates to move further back. Her seatmates moved, but she refused to do so.

When the bus reached the town of Saluda, the driver asked a sheriff's deputy to arrest her for violating the State's segregation law. The deputy approached her, but she tore up the summons and threw it out the window. She then kicked and clawed him before finally being subdued.

In court, she pleaded guilty to resisting arrest and paid a \$100 fine, but pleaded not guilty to violating the segregation law. She was convicted and fined \$10, but refused to pay it. Her attorney argued that the segregation law violated the interstate commerce clause of the Constitution—unlike the violation behind *Plessy V. Ferguson* which involved a segregated car on an intrastate rail line.

When the argument did not prevail in Virginia's courts, the NAACP took Morgan's \$10 fine to the Supreme Court. On June 3, 1946, in *Irene Morgan v. Commonwealth of*

Virginia, the Supreme Court ruled that segregation in interstate travel was unconstitutional:

As no state law can reach beyond its own border nor bar transportation of passengers across its boundaries, diverse seating requirements for the races in interstate journeys result It seems clear to us that seating arrangements for the different races in interstate motor travel require a single, uniform rule to promote and protect national travel. Consequently, we hold the Virginia statute in controversy invalid.

African-Americans, especially those returning from the war, rejoiced over the ruling, but any hope they had for a change in the South soon faded. The southern States with laws codifying Jim Crow did not feel compelled by the ruling to change them. Professor Raymond Arsenault cited examples from the summer of 1946:

The most troubling incident was the brutal beating of Isaac Woodard in mid-February [13, 1946]. Brought to national attention by NAACP executive secretary Walter White in July, the Woodard case involved a recently discharged black veteran returning to his North Carolina home from a Georgia military base. [He had served in the Pacific theater of operations as a longshoreman with an Army labor battalion.] Traveling on an interstate Greyhound, Woodard was arrested in Batesburg, South Carolina, after he and the bus driver “exchanged words over some minor point of racial etiquette.” [Woodard had argued with the driver about a rest room break.] Dragged from the bus and beaten by Batesburg police chief Linwood Shull and a deputy, the twenty-seven year-old soldier suffered massive injuries, including the blinding of both eyes. Having survived fifteen months fighting the Japanese in the Pacific, he had run afoul of two white men who saw fit to gouge out his eyes with the blunt end of a billy club. Such treatment was egregious enough to prompt an FBI investigation and a federal indictment of Shull in the fall of 1946. But even the sworn testimony of army doctors was not enough to secure a conviction from an all-white Columbia, South Carolina, jury.

A second and equally revealing case involved Wilson Head, a courageous black World War II veteran who undertook his own personal freedom ride from Atlanta to Washington in July 1946. Traveling on the Greyhound line and insisting on his right to sit in the front of the bus, he braved angry drivers, enraged passengers, and menacing police officers—one of whom threatened to shoot him during a brief detention in Chapel Hill, North Carolina. Somehow Head managed to make it to Washington without injury or arrest, suggesting that testing compliance with the Morgan decision was possible if not altogether safe. To the dismay of many white Southerners, individual acts of defiance on segregated buses and trains were becoming increasingly common in the postwar years, especially in the Upper South and even among local and intrastate passengers. [Arsenault, Raymond, *Freedom Riders: 1961 and the Struggle for Racial Justice*, Oxford University Press, 2006, p. 34]

The Morgan ruling and incidents of this type prompted the Congress of Racial Equality (CORE) and Fellowship of Reconciliation to stage a bus trip to challenge Jim Crow laws. On April 9, 1947, nine African-Americans and nine white men divided into two teams in Washington, D.C., and boarded buses at the Greyhound and Trailways stations for what was termed the Journey of Reconciliation through the upper South (Virginia, North Carolina, Tennessee, and Kentucky). African-Americans sat in the front of the bus, while white passengers sat in the “colored section.” The trip ended on April 23:

The Journey’s official balance sheet, as reported by CORE, listed twenty-six tests of compliance, twelve arrests, and only one act of violent resistance

[*Freedom Riders*, p. 51]

One arrest occurred as the Trailways bus left the station in Richmond, Virginia. The driver informed Conrad Lynn, an African-American attorney from New York, that he could not sit in the section reserved for whites. When Lynn explained the significance of the Morgan ruling, the driver said he worked for Trailways, not the Supreme Court, and intended to follow the company’s rules on segregation. The confrontation led to a 2-hour delay and Lynn’s arrest, as well as grumbling on the bus:

During the two-hour delay, several of the CORE riders conducted a spirited but largely futile campaign to drum up support among the regular passengers. A white navy man in uniform grumbled that Lynn’s behavior merited a response from the Ku Klux Klan, and an incredulous black porter . . . challenged Lynn’s sanity. “What’s the matter with him? He’s crazy. Where does he think he is?” the porter demanded, adding, “We know how to deal with him. We ought to drag him off.” [*Freedom Riders*, p. 44]

Lynn was released on \$25 bail and rejoined the ride in Raleigh.

Similar confrontations and arrests would occur throughout the trip, including the arrest of five African-Americans, including their leader, Bayard Rustin. They bought Trailways tickets in Chapel Hill, North Carolina, for the trip to Greensboro. Joseph Felmet, a white resident of North Carolina, and Andrew Johnson, an African-American law student, sat together near the front of the bus in the “white” section. When the driver, Ned Leonard, told Johnson he would have to move to the “colored” seats in the rear, they explained they “were traveling together to meet speaking engagements in Greensboro and other points south” and “that they were inter-state passengers . . . ‘covered’ by the Irene Morgan decision”:

Unmoved, Leonard walked to the nearby police station to arrange for their arrest. While he was gone, Rustin and [Igal] Roodenko [a white peace activist from New York] engaged several of the passengers in conversation, creating an “open forum” that revealed that many of the passengers supported Felmet’s and Johnson’s protest. When Leonard later passed out waiver cards that the bus company used to absolve itself from liability, one woman balked, declaring:

“You don’t want me to sign one of those. I am a damn Yankee, and I think this is an outrage.” Shaking her hand, Roodenko exclaimed: “Well, there are two damn Yankees on the bus!” By this time, Felmet and Johnson had been carted off to the police station, and [white journalist James] Peck had followed them to the station to arrange bail. But Leonard soon discovered that he had two more protesters to deal with. Encouraged by the sympathetic reaction from the regular passengers, Rustin and Roodenko moved to the seat vacated by the arrested riders, which prompted a second round of arrests. [*Freedom Riders*, p. 45-46]

Bailed out, the riders confronted angry white residents who had heard that “outside agitators” were stirring up trouble. They took refuge in the home of a friendly minister who received a call warning him that if the riders were not out of town by midnight, his house would be burned down. With the help of university students willing to drive them and an escort by reluctant police, the riders made it out of town safely. The wave of intimidation of the minister would continue for a week.

Rustin and Roodenko were tried on May 20 before Judge Henry Whitfield, “a hard-line segregationist [who] made no effort to hide his contempt for the defendants’ three NAACP attorneys . . .” Judge Whitfield sentenced Rustin to court costs, while sentencing Roodenko to 30 days on a road gang:

Explaining the differential treatment, he termed Rustin “a poor misled nigra from the North” who bore less responsibility than white agitators who should know better, and later added a dash of anti-Semitism to his admonition. “I presume you’re Jewish, Mr. Rodenky,” drawled the judge. “Well, it’s about time you Jews from New York learned that you can’t come down here bringing your nigras with you to upset the customs of the South.

The two other men arrested in the same incident were tried a month later. Judge Whitfield sentenced Joseph Felmet, a white resident of Asheville, North Carolina, to 6 months on the road gang, while Johnson received a sentence of court costs and a \$50 fine. When the prosecutor pointed out that Felmet’s sentence exceeded the 30-day limit, Judge Whitfield reduced the sentence, saying, ‘I can’t keep all these things in my little head.’”

Higher State courts ruled that all four men should receive the same sentence, but the financially strapped NAACP was unable to take the case to Federal courts, adding that the four bus tickets had been lost, possibly intentionally, so proving the four men were interstate passengers would not be possible. [*Freedom Riders*, p. 53-55]

Rustin, Felmet, and Roodenko surrendered on March 21, 1949, to serve their sentence at the State prison camp in Roxboro. They served only 22 days, with time off for good behavior, but “their experiences with inhumane conditions and brutal guards” led to Rustin’s memoir, *Twenty-Two Days on a Chain Gang*, that was serialized in newspapers

around the country. Rustin described his experience of convict road building:

The camp schedule at Roxboro began with the rising bell at five-thirty. By seven beds had been made, faces washed, breakfast served, and lines formed for leaving the camp for the ten-hour-day's work. We worked from seven until noon, had a half-hour for lunch, resumed work at twelve-thirty, and worked until five-thirty. Then we were counted in and left immediately for supper, without so much as a chance to wash hands and face. From six o'clock we were locked in the dormitory until lights were dimmed at eight-thirty. From then until five-thirty A.M. we were expected to sleep.

Rustin, who had never done physical labor, was ill suited to the regimen of convict labor, but followed the advice of other convicts and worked steadily as hard as he could.

Arriving at the first work site, the walking boss assembled his crew. Waving a newspaper article about Rustin, the boss asked, "You're the one who thinks he's smart. Ain't got no respect. Tries to be uppity. Well, we'll learn you." The work consisted of breaking ground with a pick and shoveling the results. They leveled shoulders, dug or cleaned ditches, and made cement for pipe to be used in draining roads and building bridges.

The work was hard, but Rustin listed the factors that made it even worse:

1. The work was never done
2. Thought and creativity in any form were not permitted.
3. Staying "under the gun" made for crowded, tense conditions.
4. The men felt like "things" rather than people on the job.

He added:

I believe they most disliked the feeling that no matter how hard they toiled, "the work on the highway ain't never done." When one job was finished there was always another. "Let's ride," the Captain would say, and off we would go I had never before realized the importance, even to men doing the most monotonous manual labor, of knowing clearly the reasons for doing a job, and the dejection of spirit that subconsciously creeps in when men cannot see a job completed. One day when we dug out patches in the road which another crew would fill in, [one of the other convicts] expressed this feeling: "I reckon these holes will be filled by some fool 'rrested in Durham tonight, and he'll wonder where . . . they come from." [Carbado, Devon W., and Weise, Donald, editors, *Time on Two Crosses: The Collected Writings of Bayard Rustin*, Cleis Press, Inc., 2003, p. 31-57]

Arsenault summarized the impact of the article:

Laced with dark humor—including an account of Rustin’s dealing with a prison guard who kept reminding him, “You ain’t in Yankeeland now. We don’t like no Yankee ways”—the piece shocked many readers and eventually led to a legislative investigation of conditions in North Carolina’s prison camps. [*Freedom Riders*, p, 55]

In the end, the Journey of Reconciliation was a disappointment, as Arsenault explained:

For the riders, the return to Washington on April 23 brought a sense of relief—and a measure of pride in their perseverance. To their disappointment, however, there was no public event to mark the conclusion of a remarkable collective experience [The] project’s accomplishments drew little attention from the mainstream press in the spring of 1947. Even among white reporters interested in racial matters, the Journey could not compete with the unfolding drama of Jackie Robinson’s first weeks in a Brooklyn Dodgers uniform. [*Freedom Riders*, p. 51-52]

The 28-year old Robinson was the first African-American to play major league baseball in the 20th century. His first game with the Dodgers was on April 15, 1947, at Ebbetts Field in Brooklyn. He did not get a hit that day, but by the end of the season, would be designated Rookie of the Year.

President Harry S. Truman and Civil Rights

President Harry S. Truman shared the common racial prejudices of his upbringing in Missouri. As historian David McCullough explained in his biography of Truman:

He did not favor social equality for blacks and he said so. But he wanted fairness, equality before the law. [McCullough, David, *Truman*, Simon and Schuster, 1992, p. 247]

Whatever his personal views, Truman believed that as President he must rise above them. On December 5, 1946, he signed Executive Order 9808 establishing the President’s Committee on Civil Rights to evaluate the state of civil rights, compile a report, and make recommendations “with respect to the adoption or establishment, by legislation or otherwise, of more adequate and effective means and procedures for the protection of the civil rights of the people of the United States.” Charles E. Wilson, the president of General Electric, chaired the committee. Truman’s advisors, whether from the North or South, were certain he was committing political suicide by tackling the issue. [*Truman*, p. 570]

Even before the committee released its report, Truman addressed the NAACP. At 4:30 p.m. on June 29, 1947, from the steps of the Lincoln Memorial, he addressed 10,000 delegates to the closing session of the 38th annual conference of the NAACP. The

President talked about civil rights and human freedom:

It is my deep conviction that we have reached a turning point in the long history of our country's efforts to guarantee freedom and quality to all our citizens. Recent events in the United States and abroad have made us realize that it is more important today than ever before to insure that all Americans enjoy these rights.

When I say all Americans I mean all Americans.

He summed up his view on the Nation's responsibility:

As Americans, we believe that every man should be free to live his life as he wishes. He should be limited only by his responsibility to his fellow countrymen. If this freedom is to be more than a dream, each man must be guaranteed equality of opportunity. The only limit to an American's achievement should be his ability, his industry, and his character Our immediate task is to remove the last remnants of the barriers which stand between millions of our citizens and their birthright. There is no justifiable reason for discrimination because of ancestry, or religion, or race, or color.

He pledged his full support to ensuring these rights for every citizen:

The way ahead is not easy. We shall need all the wisdom, imagination and courage we can muster. We must and shall guarantee the civil rights of all our citizens. Never before has the need been so urgent for skillful and vigorous action to bring us closer to our ideal.

After citing the Declaration of Independence, the Constitution, the Bill of Rights, and the Emancipation Proclamation, President Truman said:

With these noble charters to guide us, and with faith in our hearts, we shall make our land a happier home for our people, a symbol of hope for all men, and a rock of security in a troubled world.

McCullough called it "the strongest statement on civil rights heard in Washington since the time of Lincoln." He added, "That someone of his background from western Missouri could be standing at the shrine of the Great Emancipator saying such things was almost inconceivable."

Taking his seat after the speech, Truman told NAACP executive secretary White that he meant "every word of it –and I'm going to prove that I do mean it." [*Truman*, p. 570]

To Secure These Rights, the committee's October 1947 report, covered a range of topics, including discrimination in places of public accommodation:

Most Americans patronize restaurants, theaters, shops, and other places offering

service to the public according to their individual preferences and their ability to pay. They take their right to enter such places and to be served for granted. This is not the case with other Americans. Because of their race or their color or their creed, they are barred from access to some places and given unequal service in others. In many sections of this country, some people must pause and give thought before they enter places serving the public if they wish to avoid embarrassment, arrest, or even possible violence.

The report cited the Civil Rights Act of 1875, approved by President Ulysses S. Grant on March 1, 1875. In its key provision, the legislation provided:

Be it enacted, That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement; subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color, regardless of any previous condition of servitude.

After the Supreme Court ruled in 1883 that the act was unconstitutional, the committee's report stated, "legislation on the matter was left entirely to the states." As of the date of the report, 18 States prohibited discrimination in places of public accommodation. "Most of them prohibit discrimination in public conveyances of all types" However, 20 States "by law compel segregation in one way or another." The remaining 10 States did not have laws on the subject:

In the states with compulsory segregation laws Negroes are usually separated from whites in all forms of public transportation, and in hotels, restaurants, and places of amusement. Fourteen states require railroads to separate the races, and two authorize railroads to provide such separation. Train conductors are given power to enforce these laws. Under the Supreme Court decision in *Morgan v. Virginia*, such laws do not apply to passengers in interstate transportation. However, this decision does not prevent carriers from voluntarily enforcing segregation. Eight states require separate waiting rooms, 11 require separation in buses, 10 in street cars and three in steamships and ferries. Instances where completely separate facilities are provided, as in railroad coaches and waiting rooms, those set aside for the Negro are usually inferior in quality.

In States that secure the right of access, "practice does not necessarily conform to the law." The report added that, "One prominent Negro has stated that it is difficult to find a meal or a hotel room in the downtown areas of most northern cities." Signs declaring "whites only" went unchallenged. The penalties for violating public accommodation laws were usually small and the prospect of prosecution or civil suit slight. Often, the discrimination was less overt than a direct violation of the law. "Unwanted customers are discouraged from patronizing places by letting them wait indefinitely for service, charging higher prices, giving poor service, and publicly embarrassing them in various ways."

Even in interstate transportation, companies adapted to differing State laws:

For example, the Pennsylvania Railroad in its terminal in New York City segregates Negroes in coaches on through trains bound for the South, even though it does not do so on its own trains operating as far as Washington. [*To Secure These Rights: The Report of The President's Committee on Civil Rights*, Government Printing Office, 1947, p. 76-78]

The committee's report provided a long list of recommendations, including two under public services:

The enactment by Congress of a law prohibiting discrimination or segregation, based on race, color, creed, or national origin, in interstate transportation and all the facilities thereof, to apply against both public officers and the employees of private transportation companies.

Legislation is needed to implement and supplement the Supreme Court decision in *Morgan v. Virginia*. There is evidence that some state officers are continuing to enforce segregation laws against interstate passengers. Moreover, carriers are still free to segregate such passengers on their own initiative since the *Morgan* decision covered only segregation based on law. Congress has complete power under the Constitution to forbid all forms of segregation in interstate commerce. We believe it should make prompt use of it.

The enactment by the states of laws guaranteeing equal access to places of public accommodation, broadly defined, for persons of all races, colors, creeds, and national origins.

Since the Constitution does not guarantee equal access to places of public accommodation, it is left to the states to secure that right. In the 18 states that have already enacted statutes, we hope that enforcement will make practice more compatible with theory. The civil suit for damages and the misdemeanor penalty have proved to be inadequate sanctions to secure the observance of these laws. Additional means, such as the revocation of licenses, and the issuance of cease-and-desist orders by administrative agencies are needed to bring about wider compliance. We think that all of the states should enact such legislation, using the broadest possible definition of public accommodation. [*To Secure*, p. 170-171, bold in original]

For Truman, the report was a "shocking revelation," as McCullough put it. He could "no longer sit idly by and do nothing in the face of glaring injustice." The South, he was convinced, was "living eighty years behind the times and the sooner they come out of it the better it will be for the country and themselves." He was outraged by incidents of

brutality that went unpunished, especially when directed at African-American veterans. As he told a friend who cautioned him to go easy on civil rights:

I am going to try to remedy it and if that ends up in my failure to be reelected, that failure will be in a good cause. [*Truman*, p. 588-589]

As the election year of 1948 began, President Truman delivered his State of the Union Address on January 7, before a Congress that had been controlled by Republicans since the elections of 1946. McCullough called the address “an uncompromising reaffirmation of his liberal program”:

In less than an hour at the podium, Truman called again for a national health insurance program, a massive housing program, increasing support for education, increased support for farmers, the conservation of natural resources, and a raise in the minimum wage from 40 to 75 cents an hour. To compensate for rising prices, he proposed a “poor man’s” tax cut, whereby each taxpayer would be allowed to deduct \$40 for himself and for each dependent from his final tax bill Further, Truman announced he would be sending Congress a special message on civil rights. “Our first goal,” he said, “is to secure fully the essential human rights of our citizens.”

The speech “evoked little applause and little praise afterward,” McCullough said:

The Republicans, as anticipated, did not like it at all, any more than did the southern Democrats The distress among southern Democrats was considerable. [*Truman*, p. 586]

A. Philip Randolph saw an opportunity to pursue the cause he had failed to convince President Roosevelt to adopt. Tye explained:

Randolph played hardball, launching the Committee Against Jim Crow in Military Service and Training, threatening to rally black draftees and veterans behind a program of civil disobedience, and capitalizing on Truman’s fear of black defection to Progressive Party presidential nominee Henry A. Wallace [*Rising*, p, 214-215]

On February 2, 1948, President Harry S. Truman sent a special message to Congress on civil rights, the first presidential message of its kind, and one he sent without consulting Democratic leaders in Congress. Drawing on the findings detailed in *To Secure These Rights*, he told Congress that the Nation must “strive in our constant effort to strengthen our democracy and improve the welfare of our people.” Citing the high goals of the Nation’s founders, he said, “We shall not . . . achieve the ideals for which this Nation was founded so long as any American suffers discrimination as a result of his race, or religion, or color, or the land of origin of his forefathers.” He added:

Unfortunately, there still are examples—flagrant examples—of discrimination

which are utterly contrary to our ideals. Not all groups of our population are free from the fear of violence. Not all groups are free to live and work where they please or to improve their conditions of life by their own efforts. Not all groups enjoy the full privileges of citizenship and participation in the government under which they live.

The issue was basic to democracy. “The protection of civil rights is the duty of every government which derives its powers from the consent of the people.” To accomplish this goal he recommended a series of steps that would require congressional action. They included establishment of a permanent Commission on Civil Rights, Federal protection against lynching, protection of the right to vote, settling claims of Japanese-Americans who had been relocated after the attack on Pearl Harbor, statehood for Alaska and Hawaii, suffrage and self government for the District of Columbia, and “Prohibiting discrimination in interstate transportation facilities.” Of the latter he said:

The channels of interstate commerce should be open to all Americans on a basis of complete equality. The Supreme Court has recently declared unconstitutional state laws requiring segregation on public carriers in interstate travel. Company regulations must not be allowed to replace unconstitutional state laws. I urge Congress to prohibit discrimination and segregation, in the use of interstate transportation facilities, by both public officers and the employees of private companies.

He concluded his message by saying:

We know that our democracy is not perfect. But we do know that it offers freer, happier life to our people than any totalitarian nation has ever offered.

If we wish to inspire the peoples of the world whose freedom is in jeopardy, if we wish to restore hope to those who have already lost their civil liberties, if we wish to fulfill the promise that is ours, we must correct the remaining imperfections in our practice of democracy.

McCullough described the speech as “a brave, revolutionary declaration, given the reality of entrenched discrimination and the prevailing attitudes of white Americans nearly everywhere in the country, but especially in the South, where the social status and legal ‘place’ of black citizens had advanced not at all in more than half a century.” Truman believed in the specifics and the spirit of his statement. “Asked at a press conference a few days later what he had drawn on for background, he replied, ‘the Constitution and the Bill of Rights.’” [*Truman*, p. 587]

After meeting with several southern Democrats who suggested he soften his views, Truman replied in writing. He reminded them that he came from a part of Missouri where Jim Crow still prevailed. He continued:

But my very stomach turned over when I learned that Negro soldiers, just back

from overseas, were being dumped out of army trucks in Mississippi and beaten.

Whatever my inclinations as a native of Missouri might have been, as President I know this is bad. I shall fight to end evils like this.

He had been particularly affected by the experience of Isaac Woodard, the African-American sergeant who had been dragged from a bus in Batesburg, South Carolina, and beaten and blinded by police.

During the July nominating convention of the Democratic Party in Philadelphia, civil rights would divide the party. On July 13, an African-American alternate delegate from St. Louis challenged the seating of the Mississippi delegation. He was overruled, but U.S. Representative William L. Dawson, an African-American from Chicago, gave a talk on civil rights. The following day, a northern delegation headed by Mayor Hubert H. Humphrey of Minneapolis demanded a stronger civil rights plank in the party platform that would endorse Truman's recommendations. When the platform committee kept the moderate plank designed to appease southern delegates, Humphrey took to the podium for a 10-minute speech that, as McCullough explained, would make history. In part Humphrey said:

There are those who say to you—we are rushing this issue of civil rights. I say we are a hundred and seventy-two years late The time has arrived for the Democratic Party to get out of the shadow of states' rights and walk forthrightly into the bright sunshine of human rights.

The speech set off demonstrations around the convention hall while southern delegates sat silently. The new plank on civil rights was approved:

The Democratic Party is responsible for the great civil rights gains made in recent years in eliminating unfair and illegal discrimination based on race, creed or color.

The Democratic Party commits itself to continuing its efforts to eradicate all racial, religious and economic discrimination.

We again state our belief that racial and religious minorities must have the right to live, the right to work, the right to vote, the full and equal protection of the laws, on a basis of equality with all citizens as guaranteed by the Constitution.

We highly commend President Harry S. Truman for his courageous stand on the issue of civil rights.

We call upon the Congress to support our President in guaranteeing these basic and fundamental American Principles: (1) the right of full and equal political participation; (2) the right to equal opportunity of employment; (3) the right of security of person; (4) and the right of equal treatment in the service and defense of our nation.

We pledge ourselves to legislation to admit a minimum of 400,000 displaced persons found eligible for United States citizenship without discrimination as to race or religion. We condemn the undemocratic action of the Republican 80th

Congress in passing an inadequate and bigoted bill for this purpose, which law imposes no-American restrictions [sic] based on race and religion upon such admissions.

We urge immediate statehood for Hawaii and Alaska; immediate determination by the people of Puerto Rico as to their form of government and their ultimate status with respect to the United States; and the maximum degree of local self-government for the Virgin Islands, Guam and Samoa.

We recommend to Congress the submission of a constitutional amendment on equal rights for women.

We favor the extension of the right of suffrage to the people of the District of Columbia.

The plank prompted a walkout by southern delegates who would form a rival States' Rights Party and select Governor Strom Thurmond of South Carolina as their presidential nominee. The platform of the States' Rights Democratic Party stated:

We stand for segregation of the races and the racial integrity of each race
We oppose the totalitarian, centralized bureaucratic government and the police nation called for by the platforms adopted by the Democratic and Republican Conventions.

Truman's acceptance speech was plain-spoken, filled with pride in accomplishments and proposals, and strong in denunciation of Republicans. They were, he said, holding up progress on housing, aid to education, medical care, and civil rights:

Everybody knows that I recommended to the Congress the civil rights program. I did that because I believed it to be my duty under the Constitution. Some of the members of my own party disagree with me violently on this matter. But they stand up and do it openly. People can tell where they stand. But the Republicans all professed to be for these measures. But the Congress failed to act . . .

He would, he said, call the Congress back into session on July 26, which he said was known in Missouri as "Turnip Day," to pass legislation on inflation and the housing crisis "which they are saying they are for in their platform," and civil rights legislation "which they say they are for." (He took the phrase Turnip Day from the Missouri folk saying, "On the twenty-fifth of July, sow your turnips, wet or dry." Turnip Day, July 25, was a Sunday in 1948, so the session began on July 26.) The pledge prompted cheering and stomping in the hall, so loud that he had to shout to be heard:

Now, my friends, if there is any reality behind the Republican platform, we ought to get some action from a short session of the 80th Congress. They can do this job in 15 days, if they want to do it. [*Truman*, p. 638-643]

When the Turnip Session opened, the President addressed Congress to a cool reception. He called for an ambitious agenda for the short session, as described by McCullough:

He called for action on an eight-point program, including civil rights—controls on consumer credit, an excess profits tax, strengthened rent control, price controls, action on housing, farm support, aid to education, an increased minimum wage, and change in the Displaced Persons Act that discriminated against Catholics and Jews—all that he had asked for before and had been denied.

Later that day, Truman surprised Congress by approving two Executive orders:

- Executive Order 9981: Established the President’s Committee on Equality of Treatment and Opportunity in the Armed Services, and
- Executive Order 9980: Created a Fair Employment Board to eliminate racial bias in Federal employment.

Tye stated:

[With] Congress balking and pressure building from Randolph, the president signed a pair of executive orders that began the transformation of the armed forces from America’s most segregated institution to its most integrated. [*Rising*, p. 214-215]

(The process, as Tye noted, was just beginning. Desegregating the military would take years, with African-Americans continuing in menial classifications for years. The final all-African-American unit was disbanded in 1954.)

Although some Republicans considered a strategy of approving a few of the measures to show voters a spirit of cooperation, they decided not to give the President any victories:

The two-week session accomplished little, as Truman had anticipated, except to make his point that a Republican Congress was the great roadblock to social progress for the country and to show the gulf between Republican promises and Republican performance. [*Truman*, p. 651]

Through the fall campaign, Truman repeatedly denounced the “do-nothing” Congress. On election night, he stunned observers, perhaps including himself, by defeating his favored Republican adversary, Governor Thomas E. Dewey of New York, as well as two third-party candidates, Governor Thurmond and Progressive/American Labor nominee and former Agriculture Secretary and Vice President Henry A. Wallace:

Truman: 24,179,347 (303 electoral votes)
 Dewey: 21,991,292 (189 electoral votes)
 Thurmond: 1,175,930 (39 electoral votes)
 Wallace: 1,157,328 (0 electoral votes)

Although many factors contributed to Truman's surprise victory, support from African-Americans was a key factor in the Electoral College votes, as McCullough discussed:

Black support for Truman had been overwhelming. He polled more than two thirds of the black vote, a percentage higher than ever attained by Franklin Roosevelt. In such crucial states as Ohio and Illinois it could be said that the black voter had been quite as decisive as anyone in bringing about a Truman victory. Speaking of Truman's civil rights programs and its impact on the election, [Senator and Democratic Party Chairman] J. Howard McGrath [of Rhode Island] called it both honest statesmanship and politically advantageous. "It lost us three Southern states, but it won us Ohio, Illinois, would have carried New York for us if it had not been for Henry Wallace, and it was a great factor in carrying California." [*Truman*, p. 713]

When Truman left office on January 20, 1953, he could point to success in many areas, but his record on civil rights was mixed:

He had achieved less in civil rights than he had hoped, but he had created the epoch-making Commission on Civil Rights, ordered the desegregation of the armed services and federal Civil Service, done more than any President since Lincoln to awaken American conscience to the issues of Civil Rights. [*Truman*, p. 915]

One of his most influential initiatives, the Housing Act of 1949, had the unintended consequence of harming the African-Americans who had shifted from the rural South to northern cities during the great migration begun in the late 1910s. The President had called for a measure to address an acute housing shortage by, in part, clearing slums and replacing them with low-rent public housing. The legislation provided funds for slum clearance as part of efforts to renew urban areas while funding construction of more than 800,000 public housing units. The slum residents who were displaced often were minorities, particularly African-Americans, giving the phrase "urban renewal" another name: "Negro removal."

(In April 1949, Truman rejected a proposal by the Federal Works Agency to focus his housing program on concepts described in *Toll Roads and Free Roads* and *Interregional Highways*. The new express highways envisioned by these reports to Congress would provide the framework for revitalized cities. Urban road building would eliminate the substandard housing, while planners coordinated the placement of Federal buildings along the expressways as part of civic center redevelopment. Housing built in conjunction with the expressways would reverse the movement of taxpayers to the suburbs. President Truman preferred to certainty of the bill at hand to the possibility that Congress would pass a bill embodying the express highway plan.)

South of Freedom

Carl T. Rowan was born in 1925 and raised in McMinnville, Tennessee. After serving as a commissioned officer in the U.S. Navy during World War II, he graduated from Oberlin College (1947) and earned a master's degree in journalism from the University of Minnesota (1948). He joined the staff of the *Minneapolis Tribune*, first as a copywriter, then as a staff writer. Carl Rowan was an African-American.

Many years later, President Kennedy would appoint Rowan to the position of Deputy Assistant Secretary of State, a delegate to the United Nations, and in 1963, U.S. Ambassador to Finland. President Johnson brought Rowan back to serve as director of the United States Information Agency. After leaving the Administration, Rowan wrote a syndicated column for the *Chicago Sun-Times*, appeared on television talk and panel shows, earned a spot on President Nixon's "enemies list," and won a Pulitzer Prize for his commentaries.

But that was in the future. In 1951, the young journalist sold his editor on a story idea. Rowan would return to the South and report on what turned out to be a 6,000-mile journey. His articles were of sufficient interest in the *Minneapolis Tribune* that he expanded them into a book called *South of Freedom* (Alfred A. Knopf, 1952).

The book is not a sermon or an attempt to offer solutions. Rather, as Rowan put it in the preface, "This book is about the Americans—white and black—who live under the shadow of the problem." He continued:

It is about their struggles—on the one hand to maintain the old order of segregation and racial caste, and on the other hand to establish a "New South." I have tried to tell of the "little things" that circumscribe the lives of black folk. I also have told of our gains. This is a balance-sheet of American race relations: it tells how far we have come and where we still must go. [*South*, p. vii]

Rowan would encounter Jim Crow racism in many aspects of southern life, but nowhere more than in transportation. Because the 1950s would be a decade of transformation for the Civil Rights Movement, Rowan's observations of the South allow a glimpse of what life was like at the start of that pivotal period.

He flew home to Tennessee, encountering Jim Crow at his first stop at the Louisville airport. He approached a candy stand and stood by as the attendant served white customers and ignored him. He walked away. Having grown up in the South, he wrote, "I knew that I would be served only after all whites had been waited on." Soon, in Nashville, he saw seats designated "For Colored Passengers Only" and separate rest rooms (one marked "White Ladies" and the other "Colored Women")

Before leaving the North, Rowan had reserved a car at the airport. The attendant at the Hertz rental station treated Rowan courteously, one of the few times he would receive such treatment when attendants discovered that Rowan was an African-American.

The Jim Crow signs and the courteous treatment by the Hertz attendant, right at the start of the journey, illustrated “what it is like to be a Negro”:

It is a life of doubt, of uncertainty as to what the reception will be, even from one building to another. It is this doubt that permeates Negro life in the North as well as the South. In the North, the doubt is created by whites who circumvent democratic laws by subterfuge, in the South, the doubt springs from the fact that, because few statutes exist that are favorable to the Negro, the white man’s mood and spoken word become law.

Having served his country during the war, earned a master’s degree, and secured a job that kept him in the north, Rowan realized he would have to adjust his approach as he drove to McMinnville on U.S. 70:

I realized that I had come face to face with doubt. Doubt as to which filling-station would allow me to buy gasoline and also to use the toilet. Doubt as to which restaurant would sell me food, even to take out. Doubt as to which cities forbid Negroes to ride in white cabs, and whites to ride in Negro cabs I knew that on highways, where all-white patrols enforce the law, I must always be prepared to smile meekly and question nothing should patrolmen stop me. [*South*, p. 15-17]

After a stay in his hometown, Rowan would travel through the south by bus and train. His first trip out of McMinnville on a Tennessee Coach Lines bus got off to a promising start. He pushed his suitcase ahead of him towards the back of the bus where he was required to sit. As the bus rolled along in the night, he reached for his coat in the overhead rack:

As I began to fumble in the semidarkness, the driver flicked on a light for me. I got my coat and lifted my hand toward him as a gesture of thanks. I had ridden scores of buses in the South, many times on that same route, and drivers showing such courtesy to a Negro passenger were rare. It was the first time I had ever observed such an act. [*South*, p. 51]

The bus took him to Knoxville where he went to the airport for a flight to Washington, DC:

. . . Washington is the magic boundary where the mores of train and bus passengers shift suddenly and decree that Negroes and whites who have ridden side by side must do so no farther south; or where northbound passengers who have ridden under conditions of untouchability feel free to change to a closeness next to intimacy. [*South*, p. 59]

Before leaving Knoxville, Rowan had called the Plaza hotel in Washington to make a reservation. Upon arriving at National Airport, he called to confirm the reservation.

However, when he reached the Plaza he would have an experience that he would encounter many times in coming weeks, namely that places willing to accommodate Carl T. Rowan did so only if they thought he was white. No, the woman at the desk told him, the hotel had no reservation for a Mr. Rowan. No, her supervisor added, they didn't have a free room since "we've been filled for quite a while—two weeks."

As he walked out of the hotel, the bellhop told him, "I thought you must be crazy when you stopped here." Before he stepped into a taxi, he received a message from the front desk that he should try the Whitelaw hotel. It was a Negro hotel and he booked a room that was similar to many such rooms he would see:

Once in the Deep South, I would have to stay at dirty, bedbug-ridden, brawling houses, most of them owned by whites and run by Negroes, all gleefully profiting from segregation, or I would have to rely on the hospitality of Negro citizens. [*South*, p. 61-62]

As he explored segregation in the Nation's capital, he looked into its origins:

During most of the twentieth century, the government has had a "closed door policy" toward the Negro worker, whereas during the last half of the nineteenth century Negroes served as Register of the Treasury, Auditor of the Navy, consul, Collector of Customs, and in many other important posts at home and abroad.

The change began, Rowan explained, under President William Howard Taft (1907-1912), who restricted white census workers to canvassing white citizens and African-American workers to canvassing black citizens. As noted earlier, segregation became firm after President Wilson took office in March 1913 and had to work with southern Congressmen who were determined to extend white supremacy. Having grown up in Virginia, the new President was receptive:

Senators Hoke Smith (Georgia), Ben "Pitchfork" Tillman (South Carolina), and James Vardaman (Mississippi) formed an organization known as the Democratic Fair Play Association, the purpose of which was to "put the Negro in his place." This group made President Wilson an honorary member and then set about its mission. Negro and white employees of the Bureau of Engraving were set apart at lunchtime. In 1914 the Civil Service Commission began asking each job applicant to submit a photograph. This stopped Negroes from getting top jobs. With two exceptions, every Negro in the auditor's office was demoted.

The South had seized control of the District Committees of the House and Senate, and Washington became the citadel of Jim Crow. [*South*, p. 79-80]

Ready to travel to Charleston, South Carolina, Rowan called and made a Pullman reservation on the Atlantic Coast Line's Palmetto Limited. He was optimistic because, he said, "Many a Negro has secured Pullman space or reserved seats on a train by telephoning, since race is not so discernible over the phone." At Union Station, he went

to pick up his ticket:

The seller made the usual phone call to confirm my space, but seemed to do all his talking about a pile of coal in somebody's basement. He expressed surprise that the Army already had moved it, and then gave me my tickets with no apparent reluctance.

As the train rolled along, he discovered that his ticket was not for the berth he had reserved by telephone. Although the Supreme Court had ruled that segregation could not be practiced on interstate trains, the porter explained what had happened:

“Oh, but they had their ways of segregating. Ticket-sellers had race codes, and they do now in lotsa cities. They'll talk to the reservations office about the ‘woodpile,’ ‘in the coal bin,’ and all that stuff. It all means: ‘This traveler is a Negro; put another one with him if you can.’”

He would be able to sleep in a Pullman berth, but only with an African-American above him. [*South*, p. 85]

When Rowan was ready to leave Charleston, he called to reserve a seat on the East Coast Champion. He was told he would have to come in to purchase a ticket. This was “my first real idea of Charleston's regard for federal law.” African-Americans had been calling to reserve seats and telling the sellers that they would send a Negro boy to pick up the tickets. Having gotten wise to this trick, the sellers required travelers to pick up their tickets in person “unless they could establish their racial heritage rather clearly by phone.”

As he suspected, the ticket he received at the station was for car number one right behind the engine. Despite the Supreme Court ruling, he saw signs directing white and African-American passengers to different boarding stations. He was in the Jim Crow car.

The following day, he watched the scene passing by as the train rolled south:

The tracks would move closer to the sea, where riders could watch a million little whitecaps polka-dot the ocean's blue.

But part of the panorama—the part controlled more by man than by nature—would remain constant. Unchangeable would be the picture of despair that extends for hundreds of miles down the Atlantic coast, where the shabbiest kind of houses stand alongside the railroad tracks. Their foundations sinking into swampy lowlands, these dilapidated bungalows turn a pitiful face to America riding by. I knew that many, many Americans had traveled that same road without thinking or caring about how many fellow Americans live in those one- and two-room tarpaper shacks. I knew that it didn't have to be that road. Every train-rider, every automobile tourist had seen it somewhere, for it is traditional

for railroad tracks and highways to cut through the heart of the Negro's rundown domain. [*South*, p. 107]

After a stay in Miami, Rowan decided to visit family members in Milledgeville, Georgia. He would take the New Royal Palm, a streamliner, to Macon, then bus to his destination. Once again, he reserved a ticket on the train, but when he approached the ticket office in the white waiting room, the seller closed the window in his face and pointed toward the waiting room designated "colored." Only through persistence did the seller agree to give him the reserved ticket for a seat in car 4. [*South*, p. 121-122]

Arriving in Macon, he felt confident over his small victory. When he could not find a newspaper in the waiting room for African-Americans, he walked into the white waiting room to make his purchase. While he was deciding which paper to buy, he heard the booming voice of the station agent: "Boy! This ain't the colored waiting-room." The agent directed the woman behind the newsstand counter not to take Rowan's money. She told him, "No, no, no, you got no business in here." When he insisted on his rights, the station agent told him he had to go back to his waiting room and ask the redcap to purchase the paper.

The humiliations of the past 3 weeks boiled over. "I was angry, damned angry." After making his views clear, he returned to the other waiting room. The agent ordered an African-American redcap to follow him. "See where he goes," the agent said as he dialed a telephone. Fearful that the agent was calling the police, Rowan hired a taxi to take him to Milledgeville. [*South*, p. 124-126]

When Rowan was ready to travel to Atlanta, he was informed that the morning bus route went through Macon. He declined to revisit that city. He would take the afternoon bus.

Because his trip was intrastate, the bus line was not subject to the Supreme Court ruling on interstate transportation. At the station, he entered through the side door into the Negro waiting room and purchased a ticket at the window for Negroes. He had arrived early to be sure to get a seat on the bus, but as he approached the door, another African-American passenger told him, "Colored can't board until all the whites are on." After all the white passengers had boarded, Rowan was thankful that he found an empty Jim Crow seat. [*South*, p. 142-143]

As in many cities, and not just those in the South, African-American life in Atlanta was centered on a street, in this case Auburn Avenue:

Almost everything that met the eye was Negro—of, for, or about Negroes. These were sights I might have seen in many cities. I could have been on Baltimore's Pennsylvania Avenue, Nashville's Fourth Avenue, Memphis' Beale Street, Minneapolis's Olson Highway, or St. Paul's lower Rondo Street. [*South*, p. 151]

This was where the poor African-Americans lived, dependent on the businesses along Auburn Avenue that would serve them. To see the other side of African-American life,

Rowan took a taxi to the Hunter Road area “where fine homes and fine cars lined the streets.” This was where the better off African-Americans lived. Visiting a friend of a friend in one of those homes, he found the owner confident of progress. “The old South ain’t what she used to be,” he said. While prosperous African-Americans may have felt that way, Rowan found their day-to-day life was ruled by Jim Crow:

Negroes ride in cabs driven by Negroes; they sit in Jim Crow seats in public vehicles; they sit in bleachers to watch a baseball game; and in many buildings they are expected to take the freight elevator up, although they may descend on the first elevator to come along. [*South*, p. 154-155]

His next stop was Birmingham, Alabama, “the capital of Jim Crowism in America.” He explained:

Birmingham is a city of gross tensions, a city where the color line has been drawn in every conceivable place; Eugene “Bull” Connor, white-supremacist police commissioner, sees that no man, white or black, crosses the line. [*South*, p. 158]

Arriving in the city on the Southern Railroad in the Jim Crow car (despite his arguments with rail officials in Atlanta), he searched for 2 days to find “just one aspect” of life that was not dominated by segregation. “I failed,” he concluded. “I found only countless examples of the inconsistency, the irony, the pathos, and accompanying evil that is segregation.”

It began at the station, where a policeman made sure that white passengers went through the steel gate while African-Americans were directed through the gate leading to their waiting room. Outside, he found the segregated location for taxis driven by African-Americans that an African-American could use. [*South*, p. 158-159]

As he wandered the city during his 2-day stay, he rode a bus downtown:

I found that both races enter through the front door, as is customary in most cities of the South. I did not read fast enough, however, and had to be told by a gruff motorman that “Nigras step up on the left side, white people on the right side” of the steps. Sure enough, painted side-by-side on the single set of steps were the words COLORED and WHITE. There was only one money box; the fares were the same for both races.

I sat behind a wooden bar near the rear of the bus. The bar is the official “segregator,” and a sign on it warned both whites and Negroes [sic] not to move it. Although it was not the case on my bus, I saw others on which Negroes stood packed in behind the segregator although there were many empty seats in front of the bar. This can work the other way, of course, but drivers usually see that the bar is where no whites will be inconvenienced.

Unfamiliar with Birmingham customs, Rowan erred leaving the bus:

Again I erred by starting out the front door—down the colored side of the steps. The motorman closed the door in my face and ordered me to go to the back door. Only whites could exit at the front. [*South*, 161]

Rowan described Birmingham as “the human sinkhole of race relations” partly because of the lack of effective political power. He attributed the lack of power to “deceptive skullduggery on the part of election officials” and “apathy on the part of Negroes.” Less than 5,000 of the 108,000 African-Americans in Jefferson County had registered to vote:

One reason, of course, is the poll tax of \$1.50 yearly. It is cumulative up to \$36, and must be paid in a lump sum. It prevents many Negroes as well as whites from voting. (Alabama is one of the five Southern states with a poll tax in effect. Tennessee recently repealed its law.)

Even more effective in preventing a buildup of Negro political strength is the registration system, under which registrars defy the law and continue to use what is, in effect, the Boswell Amendment, already declared unconstitutional. Under this amendment the registrar could ask an applicant to “interpret the Constitution.” If the applicant failed to answer “satisfactorily” he was declared ineligible to vote. The amendment was applied almost exclusively to Negroes, who represent a third of the Alabama population. [*South*, p. 169]

(After the Supreme Court outlawed white primaries in 1944, the Alabama State legislature adopted the Boswell Amendment, named for State Senator E. C. “Bud” Boswell, in 1945. As ratified by voters in 1946, the amendment required voters to “understand and explain” any section of the Constitution. As a result of litigation initiated by the NAACP and other organizations, the U.S. District Court ruled the Boswell Amendment unconstitutional in 1949 because it violated the 15th Amendment to the Constitution (*Davis et. al. v. Schnell et. al.*.)

The proprietor of the Rush Hotel, one of the few hotels in the city that accepted African-Americans, told Rowan that, “just wait, the President of the United States will take an unsegregated step here one day. Then Americans will see that it can happen to anybody.” After a couple days in the city, Rowan had to disagree:

I feared that long before Presidents start making unsegregated moves in segregated places, some of Birmingham’s lost thousands will act boldly. The tiniest stroke against an unmovable city regime will be the spark to send the tensions exploding. [*South*, p. 167]

Rowan visited New Orleans, then called the Missouri Pacific Railroad to reserve a Pullman berth for a trip to Monroe in northeastern Louisiana. He then went to the station to pick up his ticket. At first, he used the standard trick of claiming he was the “boy”

sent to pick up Mr. Rowan's ticket, but he realized that since he was paying with traveler's checks made out in his name, the seller would be suspicious.

"Is it for you?" the seller asked.

"Does it make any difference?" I asked.

"Well, if you're colored I can't sell you a Pullman ticket to Monroe—that ain't across no state line. *Are you colored?*"

Frustrated after weeks in the South, Rowan said, "You see what color I am. Why don't you ask what you want to ask: am I American? Well, I am!"

Rowan decided to get around the restriction by asking for a ticket to an interstate train that went to Little Rock via Monroe. When the seller tried to get out of providing the ticket by explaining that the train would reach Monroe at 3 a.m., Rowan bluffed. "Somebody's going to sell me a Pullman ticket to Monroe or the whole United States government will know about it. I've ridden Pullman intrastate in the South before." Suspecting that Rowan might be a government man, the seller finally issued the ticket for lower berth 11, car 1162. When Rowan protested that the car had only 10 sections, the agent explained that they had sold him a ticket for a compartment rather than a berth at the price of a berth. [*South*, p. 207-209]

The trip went well at first but was delayed first by a collision up ahead and then by derailment. Because of the long delay, Rowan decided to switch from the Monroe car to a car bound for Little Rock. The porter was hesitant, explaining that all the compartments were full. When Rowan said he just wanted a seat, the porter explained, "there's mostly white women in that car. They ain't too happy around here about colored men riding where white women are. Fact is, that's the main thing they's against." After talking to the conductor, Rowan received his ticket and continued on without incident. [*South*, p. 218-219]

When the train finally resumed the trip, Rowan thought about his experience of riding in the same car as white women:

The fact that I did get the seat and nobody screamed to be let off the train seemed to me a tiny indication that the oldest taboo of the Old South also might be weakening under the wear and tear of time and the emergence of reasoning among basically reasonable men. [*South*, p. 228]

Rowan's journey through the New South ended in Oklahoma City. Sitting in the all-Negro Littlepage Hotel after 4,000 miles of rough handling and uncertainty, "I had decided, all of a sudden, that I had seen enough. I was ready to leave the South." He went to the railroad station to get a ticket on the last Missouri-Kansas-Texas line leaving for Kansas City that night. To avoid confrontation, he went to the "colored" waiting

room and purchased his ticket at the window for Negro travelers. The train did not have Pullman accommodations; it had only two cars for this trip.

When he saw that the car he was assigned to was dilapidated, he moved to the other car, which was for white travelers. He thought, "I don't know if they segregate on this train, but this is one night Rowan won't be Jim Crowed." The conductor immediately informed him he would have to move back to the first car. Leaving the South, Rowan engaged in the longest confrontation of his trip. When the conductor said "the colored car is up front," Rowan replied, "There isn't any colored car now, either," referring to a recent Circuit Court of Appeals ruling in Richmond that the segregation of interstate passengers was illegal in coaches, diners, and Pullman cars.

Rowan was determined to stand firm even if it meant "I might get my brains beaten out." He threatened to sue if not allowed to stay in his comfortable seat. The conductor left and returned with a man who claimed to be a policeman. Rowan explained the Supreme Court decision. "Show me some credentials," the man insisted. Rowan asked to see his credentials. "Boy, I said I'm a policeman." Rowan replied that "I see nothing to indicate that you're a policeman."

Because Rowan had implied that he might be a government agent, the conductor and the other man were reluctant to push too hard. Only then, reluctantly, did they allow him to stay in the car. His trip to Kansas City was uneventful. [*South*, p. 246-249]

Arriving in Kansas City, he thought:

[Going] North is never quite the same as going South. Not if you are a Negro The difference is in the mind and spirit and nerves. It is the dissolving of tension. The depressing feeling of living with *all* the odds against you begins to let up. The fear of physical harm lessens. Militancy becomes less synonymous with foolhardiness. You begin to feel that you can "talk back."

He would still see differences. At a restaurant in Kansas City, the hostess tried to seat him in the area with other African-Americans, but he sat at the counter instead. In St. Louis, trying to catch a taxi to his hotel in a snowstorm, he had to wait 55 minutes before a cab driven by an African-American would stop for him. [*South*, p. 255-256]

Many African-Americans were following his path of leaving the South. He recalled the Birmingham railroad station he visited to buy a ticket to Montgomery:

[The] room was crowded with Negroes. I was concerned about whether there would be enough seats aboard the train to Montgomery.

"Don't worry about the crowd," the agent said as he handed me my ticket. "They're all going north." [*South*, p. 257]

Now, he saw the same travelers in St. Louis:

These, I felt, were twentieth-century pilgrims, many of whom would find no Plymouth Rock north of the Mason-Dixon line. But their departure made them happy in the sense that a daydream is happy So this migration, which reached an almost staggering rate during World War II, is supposed to be the cure-all. The white South forgets, however, that the Negroes who leave are those with a spirit of venture, with “get up and go.” Because of this loss in men with the initiative and self-confidence needed to pick up everything about their set lives and stumble into a strange, fast, new environment, the South will suffer in the long run. [*South*, p. 258]

The trip had been depressing, frustrating, and discouraging, and only among a “courageous few of a passing generation and among wisdom-seeking youth who stand to control a coming generation,” had he found “an admission that racism has been the Southland’s mental illness, her epidemic.” In them, he detected a glimmer of hope “that an increasing number of the people were quietly desirous of a cure.” [*South*, p. 257]

The problem, Rowan knew, was not just in the South. He had experienced “the two-facedness of the North.” Where “little men with the towering club of law” ruled the South, he encountered small men in the North “who manifest their hatred and antipathies by guile and trickery.” He added:

The North, in resorting to subterfuge, had at least negatively acknowledged my rights, leaving me to contend only with the wily nonconformist. I have a fighting chance. [*South*, p. 264-265]

The future, he concluded, “is our great hope.” Some fear it, but many African-Americans put their faith in it:

We are not yet masters of our fate, but we intend to grope and grapple with the present, and try to put a mold of our making on the future The wheels of justice are turning, and everywhere that old despot, custom, is on the run.

The Nation, Rowan predicted, was facing its “hour of bedlam.” Through “the dust and haze of turmoil,” America stumbled in its “common hour of tribulation” toward its “common destiny.” [*South*, p. 269-270]

Brown v. Board of Education of Topeka

Underpinning the discrimination, legally and in common practice, was the 1896 ruling in *Plessy v. Ferguson*. A third grader in Topeka, Kansas, named Linda Brown would help bring the ruling to an end.

Linda was African-American who could not go to the white school just seven blocks from her home. She had to walk six blocks to catch a school bus that would take her to a

segregated school a mile away. The two elementary schools were a result of an 1879 Kansas law that permitted school districts to maintain separate facilities. In 1951, her father, Oliver L. Brown, a welder for the Santa Fe Railroad, agreed to participate as one of 13 plaintiffs who tried unsuccessfully to enroll their children in white schools.

Brown was chosen as the lead plaintiff before the District Court, which cited *Plessy v. Ferguson* in ruling for the Board of Education. Although acknowledging that segregated education could be detrimental, the court found that the school district was consistent with the separate but equal standard of the 1896 ruling.

The appeal to the Supreme Court was combined with other similar cases, but the Topeka case was the only one where the separate schools were considered to be basically equal in quality. In December 1952, attorney Thurgood Marshall and other NAACP lawyers, argued for the plaintiffs before the Supreme Court. (One of the authors of Marshall's brief, William T. Coleman, Jr., would later serve as U.S. Secretary of Transportation, 1975-1977, under President Gerald Ford.)

After the hearing, Chief Justice Frederick M. Vinson expressed reluctance to the associate justices about desegregating all public schools. However, he died on September 8, 1953, and President Eisenhower appointed Governor Earl Warren of California to be Chief Justice.

Warren, unlike his predecessor, was unwavering about overturning *Plessy v. Ferguson*. The Supreme Court held additional hearings, concluding them in December 1953, before reaching a unanimous decision in *Brown v. Board of Education of Topeka*. Chief Justice Warren announced on May 17, 1954:

We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal.

Segregated schools violated the "equal protection" guarantee of the 14th Amendment to the Constitution.

The next day, *The New York Times*, which had reduced *Plessy v. Ferguson* to railroad news in 1896, ran a headline that proclaimed: "High Court Bans School Segregation." *The Washington Post* called the ruling "the most important [opinion] on racial relations since the Supreme Court ruled before the Civil War that Dred Scott, a Negro slave, was not a citizen." The same issue carried Georgia Governor Herman Talmadge's reaction that the ruling had reduced the Constitution to "a mere scrap of paper." It also reported the defiant comment of Senator James O. Eastland (D-Ms.) that the South "will not abide by nor obey this legislative decision by a political court. We will take whatever steps are necessary to retain segregation in education." [*Separate and Unequal*, p. 306]

Senator Harry Flood Byrd (D-Va.), who as Chairman of the Finance Committee would be a major influence on funding for the Interstate System, was among the Southern politicians vowing to oppose integration of the schools. On February 24, 1955, he

declared:

If we can organize the Southern States for massive resistance to this order I think that in time the rest of the country will realize that racial integration is not going to be accepted in the South.

“Massive resistance” would become the battle cry of Southern politicians attempting to block the march of civil rights advances. Byrd would be among 101 politicians (99 Democrats and 2 Republicans) who would sign the Southern Manifesto in February-March 1956 declaring *Brown v. the Board of Education* a "clear abuse of judicial power" and promising to use "all lawful means to bring about a reversal of this decision which is contrary to the Constitution and to prevent the use of force in its implementation." (Only three Southern Senators, all Democrats, refused to sign –Lyndon Johnson, and Tennessee’s Estes Kefauver and Albert Gore, Sr.) [Heinemann, Ronald L., *Harry Byrd of Virginia*, University of Virginia Press, 1996, 334-335]

Even States such as Texas that agreed to integrate their schools did so slowly. President Eisenhower, who reportedly came to consider his appointment of Chief Justice Warren to be the biggest mistake he had ever made, ordered the integration of schools in the District of Columbia, then still under U.S. control, and directed an immediate end to any remaining segregation in the armed services. He would not urge the Southern States to comply with the ruling, but did urge “extremists on both sides” to remain calm, thereby equating African-Americans seeking their civil rights with segregationists trying to retain “separate but equal” facilities.

Biographer Stephen Ambrose discussed President Eisenhower’s attitude:

Although Eisenhower personally wished that the Court had upheld *Plessy v. Ferguson*, and said so on a number of occasions (but only in private), he was impressed by the 9 to 0 vote and he certainly was going to meet his responsibility and enforce the law. But he would not comment on it in public

What hurt was not Eisenhower’s private disapproval of *Brown*, but his refusal to give it a public endorsement Eisenhower insisted time and time again that he had neither need nor right to comment. Even as violence flared across the South, as the implementation of desegregation began, Eisenhower refused to ever say that he thought segregation was morally wrong. That allowed the bitter-end segregationists to claim that Eisenhower was secretly on their side, which they said justified their tactics. Warren, and many others, thought that one word from Eisenhower would have made possible a smoother, easier, and quicker transition period. But Eisenhower never said the word. [Ambrose, Stephen, *Eisenhower: The President*, A Touchstone Book, Simon and Schuster, Inc., 1984, p. 190-191]

The President would accept the need for Federal intervention only in September 1957, when Governor Orval Faubus of Arkansas ordered the National Guard to prevent nine African-Americans who had registered in a white high school in Little Rock from

attending classes. Given Governor Faubus' defiance of court orders and the President's direct warning, Eisenhower sent the 101st Airborne Division to Little Rock to integrate Central High School. The images of the troops escorting the nine students to school amidst jeering white segregationists, broadcast via television news programs across the country, would bring the struggle for civil rights to a broader audience—"a real-life passion play instantaneously being broadcast into millions of homes via the shiny new medium of television," as Packard put it [*American Nightmare*, p. 257].

Packard summarized the compliance record:

From the emotional heights experienced by black Americans on the day Brown was announced, the journey to justice seemed at first as if it might be short. But such was not to be the case. Though some jurisdictions undertook important measures—however resentfully—toward obedience to the court, the progress made by the states of the old Confederacy for the next decade and more was paltry at best: by 1965, only 6.5 percent of black children living in the South attended school with white children. A great many white Southerners simply didn't see "liberty and equal rights" as having anything at all to do with schooling their children with black children

The South . . . undertook massive efforts to thwart the Supreme Court's decision, efforts that eventually reached a point of new insurrection with concepts like "state sovereignty," "nullification," and "interposition" expressing Southern resistance to the will of the federal government. [*American Nightmare*, p. 241]

Too Tired to Move

Less than a year after the Supreme Court's ruling, the separate but equal philosophy of *Plessy v. Ferguson* would face an unexpected challenge by an incident in Montgomery, Alabama, on bus 5726 on the Cleveland Avenue line on December 1, 1955. In the Jim Crow era, Montgomery required African-Americans to sit in the back, with whites in the 10 front rows. The middle seats were a "no-man's land." If unoccupied, African-Americans could sit in them, but if a white passenger needed the seat, the African-American would have to yield it. That was not the only humiliation, as Montgomery resident Jo Ann Gibson Robinson recalled in her memoir:

Some operators snatched transfers from the hands of black passengers, or threw transfers or change in coins at them. Some drivers refused to make change for Negroes and accepted only exact fares from them [If] the black rider had no change, he was put off the bus and made to walk, unless other passengers could make change for him. Sometimes passengers who wanted transfers had to stand waiting as the driver drove for one or two blocks before throwing the slips of paper at them. The humble ones bent down and picked them up from the floor and said nothing. Those less restrained, retaliated in bitter, inaudible tones. Nevertheless, if they wanted the despicable pieces of paper, they, too, bent and picked them up.

On rainy days black riders were “passed by” by some of the “yellow monsters,” as the buses had come to be called. “Wet, bulksome, and smelly,” as the drivers described blacks, whites did not want them standing over them, or “passing by them” on their way to the back. Thus, drivers often drove past them without stopping on rainy days, leaving them standing there to wait for the next bus, or the next, or the next. Those waiting could either continue to wait in the rain or cold for the next bus, or walk to work or home. [Robinson, Jo Ann Gibson, *The Montgomery Bus Boycott and the Women Who Started It*, The University of Tennessee Press, 1987, p. 35-36]

On December 1, 1965, a 42-year old seamstress named Rosa Parks, tired from a day’s work at the Montgomery Fair department store, took a seat in no-man’s land. When the white seats filled, bus driver James Blake asked Parks and three other African-Americans to move to the back. When they did not move, Blake left his driver’s seat to speak directly to them. “You better make it light on yourselves and let me have those seats.” Taylor Branch described the encounter in his history of the Civil Rights Movement:

At this, three of the Negroes moved to stand in the back of the bus, but Parks responded that she was not in the white section and didn’t think she ought to move. She was in no-man’s land. Blake said that the white section was where he said it was, and he was telling Parks that she was in it. As he saw the law, the whole idea of no-man’s land was to give the driver some discretion to keep the races out of each other’s way. He was doing just that. When Parks refused again, he advised her that the same city law that allowed him to regulate no-man’s land also gave him emergency police power to enforce the segregation codes. He would arrest Parks himself if he had to. Parks replied that he should do what he had to do, she was not moving. She spoke so softly that Blake would not have been able to hear her above the drone of normal bus noise. But the bus was silent. Blake notified Parks that she was officially under arrest. She should not move until he returned with the regular Montgomery police. [Branch, Taylor, *Parting the Waters: American in the King Years 1954-1963*, Simon and Schuster, 1988, p. 128-129]

Parks was charged with violating Alabama’s bus segregation laws, “booked, fingerprinted, and incarcerated.” That night, Edgar D. Nixon of the local NAACP and white attorney Clifford Durr and his wife Virginia obtained bail for Mrs. Parks.

Nixon’s role was not surprising. He was a Pullman porter and founder and president of the Montgomery division of the International Brotherhood of Sleeping Car Porters, a leader of the Montgomery NAACP, president of the Progressive Democratic Association, and a person who had earned the respect of local white leaders as well as the African-American community. As Robinson recalled:

When violations of human rights occurred, the victims involved would telephone Mr. Nixon, and he would go to their rescue. In fact, anytime a black citizen was

arrested in the city and knew not whom to call for help in getting free, Mr. Nixon was called, often during the night, and he would go to city hall and get the prisoner out on bail He was a friend to all who were in trouble and appealed to him for help. [*Bus Boycott*, 27-28]

Parks was not the first African-American to refuse to move to her place in Montgomery's buses, nor the first whose arrest had prompted the city's African-Americans to consider a protest. One was 15-year old Claudette Colvin, a high school student who on March 1, 1955, got on her bus and sat two seats from the rear door. When the bus became crowded and the aisles jammed with passengers, the driver demanded that African-Americans sitting beyond the first 10 rows yield their seats to white passengers. When Claudette, thinking she was safe in her seat, refused to stand, the driver found a policeman to arrest her. Robinson described the arrest:

Obeying the driver's demand that Claudette be arrested, the officers commanded the girl to get up. When she refused, they dragged her, kicking and screaming hysterically, off the bus. Still half-dragging, half-pushing, they forced her into a patrol car which had been summoned, put handcuffs on her wrists so she could do no physical harm to the arresting police, and drove her to jail. There she was charged with misconduct, resisting arrest, and violating the city segregation laws. [*Bus Boycott*, p. 38-39]

Her case seemed ideal for action to end Jim Crow restrictions, especially since the bus driver had appeared to overstep his responsibilities. The case seemed even more likely when she was convicted, not under city law, but a State law that gave discretion to bus drivers, and released on probation to her parents:

She had remained calm all during the days of her waiting period and during the trial, but when she was found guilty, Claudette's agonized sobs penetrated the atmosphere of the courthouse. Many people brushed away their own tears.

The verdict was a bombshell!

However, she was too young to withstand the ordeal she would face. As it was, the conviction was difficult for her to accept:

[Her] head was not held so high. She did not look people straight in the eye as before. Her classmates stared at her, and curiosity-seekers made a special effort to see "the girl who had been arrested." Claudette, who had never sought notoriety, could not understand laws that did such terrible things to people. [*Bus Boycott*, p. 42-43]

Instead of Claudette, leaders in the African-American community, with Parks' consent, took up her cause. Robinson, representing the Women's Political Council, and Nixon planned a 1-day bus boycott to protest her arrest. Ninety percent of the city's African-Americans complied with the boycott. They knew the reputation of James F. Blake, the

driver who had Parks arrested. Historian Douglas Brinkley described him as a “vicious bigot who spat tobacco juice out of his bus window and cursed at ‘nigras’ just for the fun of it.” He added:

His favorite sport was making African-Americans pay in front and walk back to board in the rear, then leaving them with a faceful of exhaust as he gunned the bus away before they could get on. [Brinkley, Douglas, *Rosa Parks*, Viking, 2000, p. 58, quoted in *Rising*, p. 201 footnote]

While police officers patrolled the city looking for what they assumed must be “Negro ‘goon squads’” that were supposedly intimidating African-Americans into participating in the boycott, the police presence itself intimidated many African-Americans from using the buses. Parks was convicted that same morning in a 30-minute trial. She was fined \$10 and directed to pay \$4 in court costs. Her attorney filed notice of appeal.

Nixon had called Reverend Ralph D. Abernathy who agreed to help with boycott planning. Then he called Reverend H. H. Hubbard, who also agreed. Finally, he called the Reverend Martin Luther King, Jr., who said he would think about it. He was new to the city, little known within the African-American community and among the city’s white leaders, and not familiar with the issues. After speaking to many other people, Nixon called Dr. King at the Dexter Street Baptist Church again and this time, he agreed to help. “I’m glad of that, Reverend King,” Nixon told him, “because I talked to eighteen other people, [and] I told them to meet at your church at three o’clock.” [*Rising*, p.199-200]

As Tye noted, that decision was based mainly on the size of Dr. King’s church, but it would have a profound effect on Dr. King and the Nation because it would introduce him to a local, State, and national audience as a civil rights leader.

That same evening, community leaders, including Nixon and Robinson, formed the Montgomery Improvement Association (MIA) to continue the boycott. During the meeting, Nixon observed, “Negroes stopped riding the bus because they were arrested, and now they are being arrested for not riding them.” [*Bus Boycott*, p. 63]

Nixon, who by then had been a Pullman porter for 32 years, had to skip the afternoon meeting because of work commitments. Moreover, his travels as a porter meant he would be unable to lead the subsequent boycott as his local prominence might have suggested. Unable to serve as president of the MIA, Nixon wanted Dr. King to take the post, as Tye explained:

Nixon tapped King because his was the wealthiest and most influential black church in Montgomery, he had not been in town long enough to make enemies, and he was almost as eloquent as Nixon’s mentor, A. Philip Randolph. [*Rising*, p. 202]

Dr. King agreed to serve as president of the MIA as it debated whether to continue the boycott or suspend it while negotiating for a solution. At a mass meeting, he told an enormous crowd, “We are here this evening—for serious business.” He continued:

We are here in a general sense, because first and foremost—we are American citizens—and we are determined to apply our citizenship—to the fullness of its means. But we are here in a specific sense—because of the bus situation in Montgomery. The situation is not at all new. The problem has existed over endless years. Just the other day—just last Thursday to be exact—one of the finest citizens in Montgomery—not one of the finest Negro citizens—but one of the finest citizens in Montgomery—was taken from a bus—and carried to jail and arrested—because she refused to give up—to give her seat to a white person.

He said the arrest was improper because the segregation ordinances did not specify reserved bus sections for the races. “The law has never been clarified at that point.” He added, “And you know, my friends, there comes a time when people get tired of being trampled over by the iron feet of oppression.” [*Parting the Waters*, p. 128-139]

Under Dr. King’s leadership, the bus boycott would last 381 days, resulting in white harassment of African-Americans, the arrest of Dr. King and the bombing of his home, and inconvenience for African-Americans trying to get around the city. The MIA coordinated alternative transit in carpools for boycotters. The city’s attempt to disrupt the boycott included harassment of the carpools, as Dr. Catherine A. Barnes discussed in her book on desegregation of Southern transit:

Faced with a stalemate at the start of the new year, city authorities tried several stratagems. Late in January, they announced a phony settlement, but King got wind of the plan in advance and managed to notify the black community that the report was false and the boycott was still on. After this attempt to break the protest failed, the city launched a crackdown on the car pools. “We have pussyfooted around on this boycott long enough,” Mayor W. A. Gayle asserted on January 24. The next day, police began stopping black drivers to check on licenses, registrations, and insurance. Over the next week or two, they gave out hundreds of traffic tickets and arrested over sixty people for minor or imaginary traffic offenses. They threatened blacks waiting for rides with arrest for vagrancy or hitchhiking. Around the same time, rumors about MIA leaders were circulated. The abusive and harassing phone calls that King and others had been receiving from the start of the boycott increased in number. Rosa Parks was fired from her job and was unable to find other steady employment. The MIA was forced out of three different locations in which it tried to establish its headquarters. The city commissioners let it be known that they had all joined the White Citizens Council.

This assault started to weaken the car pools by convincing some drivers to withdraw, but then the opposition went too far. On January 26, the police arrested King for allegedly driving five miles an hour over the speed limit and took him to jail. The minister was bailed out that evening, but the incident rallied blacks

around their leader and the protest. [Barnes, Catherine A., *Journey from Jim Crow: The Desegregation of Southern Transit*, Columbia University Press, 1983, p. 112-113]

In February, the city tried a new tactic. A county grand jury began indicting African-Americans for violating an Alabama anti-boycott law of dubious constitutionality:

Again, however, the opposition's tactics backfired. Instead of being intimidated, Montgomery blacks voluntarily turned themselves in at the police station. Nationally, the mass indictments made the boycott front-page news. Reporters from around the country descended on Montgomery, and with the increased publicity, outside assistance for the protest grew. [*Journey*, p. 115]

While NAACP attorneys pursued Parks' case, the MIA launched a parallel court case with other defendants in Federal rather than local court. The association was concerned that Parks' case was too entangled in Alabama State courts that would delay resolution indefinitely. On February 1, the association filed a lawsuit on behalf of Montgomery housewife Aurelia Browder, Claudette Colvin, and other residents who had been arrested for violating the State bus segregation laws. The case would be known as *Browder v. Gayle*.

In June, the U.S. District Court ruled that in view of the *Brown, Morgan*, and other Supreme Court rulings, Plessy had been "impliedly, though not explicitly, overruled." Since the court could find no rational basis for applying separate-but-equal restrictions to public carrier transportation, the State law violated the 14th Amendment.

Without a hearing, the Supreme Court refused to hear an appeal, again endorsing the lower court ruling. The court issued its brief ruling on November 13, 1956, stating that "the motion to affirm is granted and the Judgment is affirmed." The bus segregation ordinances were unconstitutional. After the Supreme Court notifications reached city officials on December 20, 1956, integrated buses began traveling the streets of Montgomery. Branch said:

That night, King told a mass meeting that the walking was over. He stressed reconciliation, saying that the boycott had brought a victory for justice that would benefit both races. It was not a victory over the white people, he said, but most white politicians seemed to believe otherwise. Mayor Gayle and Police Commissioner [Clyde] Sellers managed to be out of town, unavailable for comment. A local judge who was forced to dissolve his pro-segregation decrees denounced the Supreme Court decision as based on "neither law nor reason" but an "evil construction." [*Parting the Waters*, p. 196]

Barnes discussed the significance of the ruling:

Ironically, it was the Court ruling in *Browder*, not the boycott, that finally won desegregation on Montgomery's buses. Although the economic effect of the

protest made the bus company willing to desegregate, the boycott never persuaded Montgomery city officials to abandon Jim Crow transit They yielded only when faced with a final mandate from the Supreme Court, and they had to choose between accepting integrated buses or risking a fine or jail sentence for defiance of a court order. Legally, *Browder* marked the demise of *Plessy v. Ferguson* and the separate-but-equal doctrine. [*Journey*, p. 124]

The two rulings marked a major victory against Jim Crow. Rosa Parks' refusal to yield her seat and the resulting Montgomery Bus Boycott provided the impetus not only to Dr. King's reputation, but the Civil Rights Movement. Within a decade, the legal structure supporting Jim Crow would be gone.

When Rulings Don't Count

These dramatic events in the courts, including the highest court in the Nation, did not mean that day-to-day life changed overnight for African-Americans.

In 1989, journalist Eugene L. Meyer wrote about the challenges of daily travel along one of the Nation's main pre-Interstate roads, U.S. 1 in Maryland, during the transitional years. In Elkridge, he came to the Skyline Motel. "The wooden sign remained at the side of the road, but it was faded and the old motel above it looked abandoned." Although the motel was closed, owners Daniel and Dorothy Duffy still lived in the office section. They had purchased the motel in 1952, but the opening of the access-controlled Baltimore-Washington Parkway parallel to U.S. 1 in 1954 took much of the traffic from the old highway. Travel-oriented businesses along U.S. 1 had to decide their future:

They closed it [in 1957], they said, because the financial and psychic expense of modernizing a dying business was just not worth it. And besides, they added, they would have had to integrate. "We never did" accept blacks, Dorothy Duffy said. "When they passed that [public accommodations] law, we had to take everyone."

Few of the U.S. 1 motels "had earlier bucked the Jim Crow tradition" (not mandated by law) that permeated Maryland into the 1960s. Meyer reported that two, Cedar Motel and the Valencia Motel in Laurel, did integrate:

"We didn't have that much to offer, so whoever came got a room here," said Morris Pet, the sixty-seven-year-old proprietor of the Cedar Motel. "Not too many white people came in because they always looked for the better places."

When the Valencia Motel opened in 1947, it "offered more amenities than the Cedar Motel, including rubber-tiled floors, steel furniture, tiled showers, room radios, and, after a while, coin-operated television." The owner, Ida Fischer, told Meyer that she "always thought it was terrible that black people didn't have the right to stay everywhere."

Still, Meyer said, “few blacks chanced humiliation by stopping at motels that weren’t clearly identified as ‘Colored.’” He added:

Those that were went unlisted in the AAA guidebooks. While the auto association campaigned against billboards and for the Baltimore-Washington Parkway, staffers I consulted could find no mention in old issues of the club magazine of the racial barriers that were an integral part of life on U.S. 1.

Meyer added that other facilities accepted African-Americans. McClain’s Motel and Restaurant, which opened in 1949, had been owned and operated by an African-American couple. Mrs. Mary McClain told Meyer, “the black people traveling, they found a place to stay.” Hall’s Motel in Elkridge had been white owned, but was “always open to blacks and [was] still serving a largely black clientele.” The Log Cabin was “a truck stop catering mostly to blacks with its menu of chitterlings, maw, and ribs.” [Meyer, Eugene L., *Maryland: Lost and Found*, The Johns Hopkins University Press, 1986, p. 129-130]

Although President Eisenhower was not eager to enter the civil rights debate, he was confronted with a Cold War diplomatic reason for involvement, as Packard described:

At the outset of his administration, Eisenhower’s United Nations representative clearly warned him that America’s notorious racist practices amounted to a “diplomatic Achilles’ heel.” While Washington ceaselessly sought support from new and third world member states against Soviet-backed initiatives, those countries had a hard time offering sympathy for a nation in which black and brown diplomats couldn’t sit at a lunch counter or rent a hotel room in its capital. In the early days of his presidency, the strongest factor in Eisenhower’s order to desegregate Washington’s public accommodations was likely not that black *Americans* had for so long suffered the indignity of Jim Crow in the nation’s capital, but that important black *foreigners* were now being humiliated. [*American Nightmare*, p. 229, emphasis in original]

This would be a growing problem as Europe’s colonial governments in Africa were overturned. Africans were increasingly part of the diplomatic corps that traveled around the United States.

One diplomatic incident, which occurred in the spring of 1961 shortly after President Eisenhower left office, illustrates the type of embarrassment Packard cited. William Fitzjohn, charge d’affaires for the Republic of Sierre Leone in west Africa, drove from Washington to Pittsburgh for a lecture. When his driver stopped at a Howard Johnson’s restaurant in Hagerstown, Maryland, they were both refused service because of their color. Appalled by reports of the snub, President John F. Kennedy invited Fitzjohn to the White House. The president of Howard Johnson’s apologized, while Hagerstown Mayor Winslow F. Burhans invited him to a dinner with the city’s leading citizens.

Soon, however, another incident occurred. On June 26, 1961, Ambassador Adam Malick of the Republic of Chad in northcentral Africa was driving to Washington on U.S. 40 to present his credentials to President Kennedy when he was refused service after stopping in Edgewood for a meal.

By one count, nine such incidents involving diplomats occurred in 1961 alone. In a 2005 column, Frederick N. Rasmussen of *The Baltimore Sun* recalled the Governor's reaction:

While Maryland Gov. J. Millard Tawes apologized for the incidents, he also suggested that African diplomats traveling U.S. 40 should pick restaurants with an open-door policy.

U.S. 40, then the major route for diplomats traveling between New York and Washington, fittingly became the target of Kennedy's efforts in ending the practice of denying service not only to black diplomats but African-Americans as well.

He asked Maryland civic leaders to extend "voluntary cooperation for an immediate end to segregation in restaurants and other places of public service."

. . . Restaurant and café owners along U.S. 40 were slow to move, believing it was their right to serve, or withhold service from, whomever they pleased.

"Frankly, I can't afford it," said Mrs. Charles Krell, owner of the Suburban Inn near Aberdeen. "I'd lose all of my white customers."

. . . On March 30, 1963, Tawes signed into law a public accommodation bill, making Maryland the first state south of the Mason-Dixon Line to ban discrimination against African-Americans in restaurants and hotels. The law became effective statewide after the 1964 elections. [Rasmussen, Frederick N., "Racial bias revealed along U.S. 40 in 1961," *The Baltimore Sun*, October 8, 2005]

Boynton v. Virginia (1960)

Another incident in the struggle to implement the Morgan ruling occurred in 1958 when Bruce Boynton, an African-American student at historically black Howard University's Law School in Washington, boarded a Trailways bus for a trip to his home in Montgomery, Alabama. On a stop in Richmond, Boynton sat in the white section of the lunchroom and refused to move to the "colored section." He was arrested for trespass and fined \$10.

The NAACP took up Boynton's case, which reached the Supreme Court in 1960. The State had conceded that the arrest was invalid if Federal law or the Constitution gave Boynton the right to service, but did not believe either was the case. Arguing for Boynton, Thurgood Marshall explained that the arrest placed an unreasonable burden on

commerce and denied Boynton equal protection of the law. The Justice Department raised a different issue in a friend-of-the-court brief. It said that the Interstate Commerce Act forbade “unjust discrimination.” The provision read:

It shall be unlawful for any common carrier by motor vehicle engaged in interstate or foreign commerce to make, give, or cause any undue or unreasonable preference or advantage to any particular person . . . in any respect whatsoever; or to subject any particular person . . . to any unjust discrimination or any unjust or unreasonable prejudice or disadvantage in any respect whatsoever [Section 216(d) of Part II of the Interstate Commerce Act, 49 U.S.C. 316(d)]

Trailways, which had built the Richmond terminal in 1953, was subject to the law, but the company hired a contractor to operate the dining area. The State responded that unlike Trailways, its contractor was not subject to the act.

The Supreme Court ruled on *Boynton v. Virginia* on December 5, 1960, that interstate passengers were protected by the Interstate Commerce Act. The 7-2 ruling, written by Justice Hugo L. Black, turned on the status of the contractor operating the dining area:

We are not holding that every time a bus stops at a wholly independent roadside restaurant the act applies . . . [but] where circumstances show that the terminal and restaurant operate as an integral part of the bus carrier’s transportation service . . . an interstate passenger need not inquire into documents of title or contractual agreements in order to determine whether he has a right to be served without discrimination.

Therefore, Boynton had a right to remain in the white section of the dining area.

The ruling extended the Supreme Court’s ruling in *Morgan v. Commonwealth of Virginia* beyond interstate buses and trains, but again the southern States did not enforce it and the Federal Government did not throw its weight behind the decision. Enforcement would have to be by the action of individuals and defense of their actions by the NAACP and other civil rights organizations.

Boynton inspired CORE to adapt the Journey of Reconciliation for a new campaign of integration through the South. This was not the first time CORE had considered reviving the campaign. Billie Ames, a St. Louis woman who served as CORE’s national group coordinator, had proposed a “Ride for Freedom” in 1954 to challenge segregated railway coaches and terminals. Family obligations, however, forced her to abandon the plan. [*Freedom Riders*, p. 57] In the wake of the *Boynton* ruling, however, CORE revived the idea.

Arsenault explained that the revival came about because CORE members had written to ask why neither *Morgan* nor *Boynton* was being enforced. The new director of CORE,

James Farmer, asked his staff how to answer the questions he was receiving:

To his surprise, two staff members had already come up with a tentative plan to address the problem of nonenforcement. As Gordon Carey explained, during an unexpectedly long bus trip from South Carolina to New York in mid-January, he and Tom Gaither had discussed the feasibility of a second Journey of Reconciliation. Adapting the phrase “Ride for Freedom” originated by Billie Ames in the mid-1950s, they had come up with a catchy name for the project: “Freedom Ride.” Thanks to a blizzard that forced them to spend a night on the floor of a Howard Johnson’s restaurant along the New Jersey Turnpike, they had even gone so far as to map out a proposed route from Washington to New Orleans. Patterned after Gandhi’s famous march to the sea—throughout the bus trip Carey had been reading Louis Fisher’s biography of Gandhi—the second Journey, like the first, would be two weeks. But, taking advantage of the Southern movement’s gathering momentum, it would also extend the effort to test compliance with the Constitution into the heart of the Deep South. [*Freedom Riders*, p. 93-94]

The Freedom Ride would follow the pattern of the Journey of Reconciliation. Half of the riders would go by Greyhound, while the other half would travel on Trailways. Unlike the earlier ride, the plan would go through the Deep South. They would leave Washington on May 17 and travel through Virginia, North and South Carolina, Georgia, Alabama, and Mississippi on their way to New Orleans.

In view of the potential danger, CORE asked Gaither to travel the route in advance to survey the terminal facilities, talk with local leaders of the African-American communities, arrange housing and speaking engagements for the riders, and assess the prospects for violence. Although the reaction of African-Americans was mixed, Gaither was encouraged by their overall response. His assessment of the white reaction was another matter:

In the Upper South states of Virginia and North Carolina, the prospects for compliance with Morgan and Boynton looked promising, but from South Carolina on down Gaither didn’t like what he saw. He already had firsthand experience with the harshness of segregationist resistance in Rock Hill and other South Carolina communities, but the belligerence and defiance that he encountered in Alabama and Mississippi shocked him. If the Freedom Riders challenged the ultra-segregationists of the Deep South without benefit of police protection, he concluded, they would be lucky to escape with their lives. [*Freedom Riders*, p. 96-97]

Freedom Riders

Branch described the start:

The thirteen riders embarked [from Washington, D.C.] on the morning of May 4

in two groups, one on Greyhound and the other on Trailways. According to plan, they scattered throughout each bus in various combinations—some whites in the back and Negroes in the front, with at least one interracial pair of seatmates and a few riders observing less conspicuously from traditional seats. [*Parting the Waters*, p. 413]

At the first stop, a Greyhound terminal on U.S. 1 in Fredericksburg, Virginia, an African-American used the whites-only restaurant and ordered a drink at the counter without incident, while a white passenger used the “Colored Only” rest room. In similar tests in Richmond and Petersburg, the Freedom Riders found similar results.

In Prince Edward County, which had transferred its schools into private hands to avoid complying with *Brown v. the Board of Education*, the results were the same:

When the Greyhound and Trailways buses pulled into Farmville, the Freedom Riders found that the local “Colored” signs had been freshly painted over at the stations. All thirteen riders obtained service without incident, as the powers of Prince Edward County declined to extend their “massive resistance” to interstate transportation. By nightfall, the riders had passed through Lynchburg to Danville, where, for the first time, bus station officials turned them away. There were no arrests, however, and no violence. [*Parting the Waters*, p. 413]

An African-American waiter refused to serve a white Freedom Rider from the Greyhound bus at the “colored” counter; the manager had threatened to fire the waiter if he served a Freedom Rider on the wrong side of the racial divide. The scene was repeated later when the Trailways bus arrived, but the Freedom Riders convinced the manager to relent.

Crossing into North Carolina, the riders arrived at the Trailways station in Greensboro, where the “colored” sign had been taken down earlier in the week. The riders were able to eat in the former “whites only” section without incident. Traveling south to Salisbury on U.S. Route 29, the riders found the usual Jim Crow signs, but encountered no problems in violating local custom.

The first violence occurred when the Greyhound bus pulled into the terminal at Rock Hill, South Carolina. John Lewis, an Alabama native who was an adherent of the nonviolent philosophy of Reverend King, was the designated tester who moved toward the white waiting room. Young whites who used the terminal as a hangout blocked his way. When Lewis asserted his rights under *Boynton v. Virginia*, the youths shoved him toward the door:

One of the attackers threw a punch that caught Lewis in the mouth, making the first loud pop of fist against flesh on the Freedom Ride. Lewis sank to the ground. More whites surged toward the primitive sounds of violence. Albert Bigelow, next in line behind Lewis, stepped forward to put his body between Lewis and those kicking him. Bigelow’s erect posture and determined passivity—such an alien sight in a fistfight—did not keep the attackers from

darting in to strike him on the head and body. Three or four thudding blows dropped Bigelow to one knee, and as one of the attackers lunged toward Bigelow he knocked Genevieve Hughes, the third Freedom Rider in line, sprawling to the floor.

Rock Hill police separated the parties, and a captain asked Lewis and Bigelow if they wanted to press assault charges. When they declined because doing so was not in the spirit of nonviolent resistance, the captain was displeased because “his politically risky offer to arrest local white boys was going to waste.” The Freedom Riders then went into the waiting room and placed food orders without further difficulty. (Because of a personal commitment, Lewis would have to leave the ride temporarily after Rock Hill.)

When the Trailways bus arrived two hours later, the terminal had been closed to prevent further difficulties. [*Parting the Waters*, p. 415-416] The restaurant had been closed weeks earlier to thwart sit-ins. The Riders were greeted by sympathizers, but the situation was dangerous, as Arsenault described:

As the Riders stepped off the bus, a welcoming committee of drivers rushed up to inform them about the assault on the Greyhound group—and to protect them from essentially the same gang of white “thugs” responsible for the earlier attack. Across the street was a line of cars filled with tough-looking young white men hoping for a second shot at the outside agitators who had dared to invade their town. Several of the men shouted epithets and motioned menacingly at the Riders. [*Freedom Riders*, p. 123]

As the welcoming committee took the Riders away, the cars filled with angry white men followed for a few blocks, but eventually left without attacking.

The following morning, the riders peacefully desegregated the waiting rooms in the Greyhound and Trailways terminals before boarding their buses. In Chester, the planned lunch stop for both buses, officials had closed the terminal after hearing that troublemakers were on their way.

The drivers headed to Winnsboro for the lunch break. Arsenault described the town:

Nearly 60 percent black in 1961, Winnsboro had earned a reputation as an ultra-segregationist stronghold, a place where the local White Citizens’ Council invariably got its way. Challenging the white supremacist traditions of Winnsboro would have been dangerous under any circumstances, but in the wake of the Rock Hill incident it was especially so.

The situation was compounded because the Rock Hill incident had received national newspaper coverage. As Arsenault pointed out, “much of South Carolina, not to mention the rest of the South, now knew that Riders were coming their way . . . [From] this point on the Riders would have to deal with an awakened white South.”

Hank Thomas, an African-American student at Howard University, and James Peck, the white journalist who was the only person to participate in the Journey of Reconciliation and the Freedom Ride, had been chosen to desegregate the white lunch counter. As soon as they sat down, the manager called the police. A police officer arrived to arrest Thomas (“Come with me, boy,” the officer told him) for trespassing. When Peck pointed out that Thomas had the constitutional right to eat lunch at the counter, the officer arrested Peck for interfering with the arrest. At the police station, they were placed in separate Jim Crow cells.

In accordance with procedures agreed to at the start of the Freedom Ride, the rest of the Riders boarded the buses and headed for Sumter, leaving behind Frances Bergman, a 57-year old white educator from Michigan and civil rights activist. As she tried to work with police for the release of Thomas and Peck, the police called her an “outside agitator” and told her, “We have no use for your kind here.”

Around midnight, the police dropped the charges against Thomas and drove him to the nearly deserted bus station. Spotting a group of white men he thought could be a lynch mob, Thomas ducked into the station, bought a candy bar in the white section, and hoped for the best. One of the white men ordered him to the “colored” waiting area. What might have happened is unknown because he was rescued by an African-American minister summoned by Bergman. “Get in the car and stay down,” the minister shouted to Thomas. The minister drove him to Columbia, where he took a bus in the morning to rejoin the other Riders on their 2-day rest in Sumter.

Peck, too, was released but he was immediately arrested again when an officer spotted a whiskey bottle, purchased just north of the South Carolina line, in his possession without a State liquor stamp. Freed when Farmer and other CORE supporters paid his \$50 bail, Peck “jumped bail” by going with his rescuers to Sumter. [*Freedom Riders*, p. 125-127]

After a 2-day rest, the Riders boarded Greyhound and Trailways buses for the next leg of their journey via U.S. 76 to Columbia and U.S. 1 to Augusta, Georgia. Augusta police had arrested an African-American soldier who tried to desegregate one of the city’s terminal lunch counters earlier in the year, but the Riders encountered no resistance:

Although the black Riders were the first nonwhites to break the color line at the Augusta bus stations, no one seemed to care, except for one white waitress who refused to serve Joe Perkins, forcing a black co-worker to do so.

The next day, the buses headed for Atlanta via U.S. 78. At rest stops in Athens and Atlanta, the Riders encountered no difficulties. Peck concluded that “our experiences traveling in Georgia were clear proof of how desegregation can come peacefully in a Deep South state, providing there is no deliberate incitement to hatred and violence by local or state political leaders.” [*Freedom Riders*, p. 132]

While in Atlanta, Farmer learned of a plot to disrupt the ride in Alabama. He informed the other Riders that he would lead the testings for the Trailways group and that Peck

would be the leader for the Greyhound group. However, he received news that night that his father had died; his mother needed him in Washington. The morning of May 14, he informed the other Riders he would have to leave the group. He designated Joseph Perkins, an African-American graduate student from the University of Michigan, to take his place.

The plot Farmer had heard about was real. CORE had been keeping the FBI aware of its plans even before they were announced. The FBI had been forwarding its memos on the Freedom Ride to the Birmingham Police Department, which informed the State's chapters of the Ku Klux Klan. Several police officers with Klan links assured members that whatever they did when the Freedom Riders arrived, they would have 15-20 minutes before police would respond. A high ranking member of the Alabama Klan was an FBI informant, so the FBI was aware of developments, but took no steps to warn the Freedom Riders of the danger they faced in Alabama.

With this advance assurance, the Klansmen had several weeks to plan how it would teach the Freedom Riders a lesson. Arsenault described the plan that emerged as the Freedom Riders came closer to the State:

The final plan, which resembled a full-scale military operation, called for an initial assault in Anniston, the Riders' first scheduled stop in Alabama, followed by a mop-up action in Birmingham. As an FBI informant reported to the Birmingham field office, the Anniston klavern was responsible for blocking the Riders' access to the local bus stations, but Birmingham Klansmen, working in conjunction with [the local police], were calling most of the shots If the Klansmen did their duty on Sunday afternoon, the Freedom Riders and others would be forced to recognize the power and passion of men who regarded massive resistance as something more than idle talk. [*Freedom Riders*, p. 136-139]

On May 14, Mother's Day, the Greyhound bus left Atlanta at 11 a.m. with Perkins in charge of the Freedom Riders. The bus was mostly empty, carrying only 14 passengers, including the seven Freedom Riders. Two journalists, the manager of the Atlanta Greyhound station, and two undercover officers from the Alabama Highway Patrol, Eli Cowling and Harry Sims, were among the other passengers. Cowling carried a hidden microphone to eavesdrop on the Freedom Riders.

On U.S. 78, the bus crossed the State line around 1 p.m. After passing through Heflin and Oxford, the driver, O. T. Jones, turned the bus north on State Route 21 toward the planned stop in Anniston. The driver of a southbound bus waved for Jones to pull over. Jones was told, "There's an angry and unruly crowd gathered at Anniston. There's a rumor than some people on this bus are going to stage a sit-in. The terminal has been closed. Be careful." Jones continued on to the city.

When Jones pulled the bus into the station parking lot, he found that the terminal was indeed closed. A mob quickly surrounded the bus. Jones went to open the door, but

Cowling and Simms prevented anyone from entering. The mob smashed windows, dented the side of the bus, and slashed the tires. The Anniston police finally arrived to clear a path for the battered bus to leave the parking lot.

The police provided a safe escort to the Anniston city limits, but once across the line on State Route 202, Jones found a long line of cars and pickup trucks waiting for it. Two of the cars raced ahead of the bus, then slowed to force Jones to reduce speed while being trailed by “thirty or forty cars and trucks jammed with shrieking whites,” as Arsenault put it. Flat tires soon forced Jones to pull his bus to the side of the road in front of the Forsyth and Son grocery store just a few hundred yards from Anniston Army Depot. While Jones ran into the store to make phone calls in a futile effort to find replacement tires, one of the undercover State police officers managed to retrieve his gun from the baggage compartment before the bus was surrounded.

The crowd battered the bus and rocked it in an attempt to tip it over. The onslaught continued for 20 minutes, with the mob demanding that the Freedom Riders leave the bus and take their beating. Highway patrolmen arrived, but took no action.

Finally, one member of the mob threw a flaming bundle of rags through a window. The bus soon filled with smoke and then flames. The passengers escaped through windows and doors as the crowd moved back, afraid of an explosion:

When Hank Thomas, the first Rider to exit the front of the bus, crawled away from the doorway, a white man rushed toward him and asked, “Are you all okay?” Before Thomas could answer, the man’s concerned look turned into a sneer as he struck the astonished student in the head with a baseball bat. Thomas fell to the ground and was barely conscious as the rest of the exiting Riders spilled out onto the grass. [*Freedom Riders*, p. 144]

A few local residents helped the passengers, while an explosion and Cowling’s gun kept the angry mob back until the State patrolmen finally stepped in to end the siege.

Getting the injured to a hospital proved a challenge when the ambulances summoned by the police were slow to arrive and their white drivers were unwilling to transport the African-American Freedom Riders. The drivers relented only after the white riders already in the ambulances exited, unwilling to leave their comrades behind – and “a few stern words from Cowling.”

While the Freedom Riders received minimal help at Anniston Memorial Hospital, a mob threatened to burn the hospital down. Perkins arranged with Reverend Fred Shuttlesworth of Birmingham’s Bethel Baptist Church for a squadron of cars from that city to rescue the Riders, and the mission was successful only because the police held back the jeering crowd. Traveling the back roads to Birmingham to avoid trouble, the rescuers answered the Greyhound Freedom Riders’s questions about their companions on the Trailways bus. The story they heard was grim. [*Freedom Riders*, p. 148]

Even as they stood in line to buy tickets in the Atlanta Trailways station, the Freedom Riders could see white men advising white passengers to get out of line. Most of the passengers accompanying the Riders would be Klansmen. As the bus left the station, the Klansmen began making threatening remarks and assuring the Freedom Riders they would be taken care of once the bus was in Alabama. Arriving in the Anniston Greyhound station an hour or so after their companions had departed, the Trailways Freedom Riders managed to purchase a few sandwiches at the lunch counter without incident. That would be their last moment of relative calm.

The driver, John Olan Patterson, had been talking with police officers during the stop. When he stepped back on the bus, he told his passengers about the fate of the Greyhound. "We have received word that a bus has been burned to the ground and passengers are being carried to the hospital by the carloads. A mob is waiting for our bus and will do the same to us," he continued, unless the African-American Freedom Riders moved to the back. The bus, he said, wasn't moving until all African-Americans (not the word he used) had moved to the back.

One of the Freedom Riders pointed out that they had the right to sit wherever they wanted on an interstate bus. Patterson left the bus, while the Klansmen began their assault on two of the African-American Freedom Riders. Their retreat to Gandhian nonresistance only incited the Klansmen to greater violence. Peck and Walter Bergman, both white, attempted to intervene, but the Klansmen began pummeling them as well. Bergman, the oldest of the Riders, was nearly killed despite the pleading of his wife Frances, but the Klansmen stopped short of murder. They dragged the battered, bloody, and limp bodies of the Riders to the back of the bus.

With Jim Crow seating restored by force, Patterson returned to the bus and pulled it out of the station. However, he headed toward Birmingham on the back roads to avoid the mobs that had assaulted the Greyhound bus and were on the lookout for the Trailways bus.

By the time the Trailways bus reached its terminal in Birmingham, Klansmen and an even more violent group called the National States Rights Party (NSRP) were in place. The police were not in sight. They had promised the Klansmen 15 minutes alone with the Riders, and that promise would be honored.

At the station, the Klansmen on the bus departed with a few parting insults. The Riders left the bus and retrieved their luggage amidst a crowd that made no effort to stop them. Inside the station, the designated testers, Peck and Charles Person, an 18-year old African-American from Atlanta, approached the whites-only lunch counter. Within moments, the Klansmen and members of the NSRP began their assault. Several of the Riders escaped, but the others were brutally beaten. The attackers beat other passengers on the bus and even bystanders (including one Klansman) mistaken for Freedom Riders.

When the 15 minutes were up, a plainclothes police detective who had been monitoring the situation approached the FBI informant to tell him, "I'm ready to give the signal for

the police to move in.” Despite the chaos in and out of the station, the Klansmen and NSRP members had left the area by the time the police arrived, but only after a few last minute beatings of one of the bystanders and a newspaper photographer.

With difficulty, the Riders gradually made their way to Reverend Shuttlesworth’s parsonage. While he tried to find an ambulance willing to take Peck, the most seriously injured, to a hospital, police arrived to arrest the Riders for violating local segregation laws. Only Shuttlesworth’s defiance stopped them.

An ambulance finally arrived for Peck but the first hospital refused to treat him. At the second hospital, Jefferson Hillman Hospital, he was operated on for his head injuries. That night, reporters gathered around his bed for an interview. Groggy and barely able to speak above a whisper, he told them of his experiences. Asked what he intended to do, he managed to strengthen his voice. “The going is getting rougher, but I’ll be on that bus tomorrow headed for Montgomery.”

While Peck was being treated, the Riders from the Greyhound bus reunited at the parsonage with their companions from the Trailways bus. After comparing notes on their ordeal, they participated in a public meeting in the church, with only about 50 visitors to witness the session:

Sitting in chairs alongside the altar, looking like an array of accident victims in a hospital waiting room, they told their stories one by one Despite a badly swollen eye, cracked ribs, and deep facial cuts, Walter Bergman spoke the longest, presenting an eloquent explanation of CORE’s philosophy and hopes for the future. He and others pleaded with the crowd to join the nonviolent movement, to redeem the land of Jim Crow with acts of commitment and sacrifice. [*Freedom Riders*, p. 145-161]

After many of the Riders had departed to spend the night with supporters, Reverend Shuttlesworth was informed that Peck had been discharged from the hospital around 2 a.m. Ordering Peck to stay put, the Reverend and one of his deacons drove to the hospital. The woozy Peck made his way into their car:

As the three men headed back to the parsonage, two policemen on motorcycles pulled them over. When one of the officers accused the deacon of stealing the car, Shuttlesworth identified himself and eventually talked his way out of the situation, but this additional round of harassment did not bode well for the Freedom Riders’ future in Birmingham. [*Freedom Riders*, p. 162]

In the morning, the Riders realized they would need protection to continue their journey, but could expect none from State or local police in Alabama. African-American journalist Simeon Booker called John Seigenthaler, Special Assistant to Attorney General Robert Kennedy, to request Federal help. While President John F. Kennedy and his brother, the Attorney General, were sympathetic to the civil rights cause, the Administration was focused on foreign affairs at the time:

In the White House, and even in the Justice Department, administration leaders viewed civil rights primarily as a political issue, not as a moral imperative In mid-May 1961, though, the political calculus of the administration allowed little room for interracial provocateurs, however well-meaning they might be. To the Kennedy brothers, taking the civil rights movement into the streets, where uncontrolled conflict was inevitable, was an embarrassing luxury that the United States could not afford in the context of the Cold War. [*Freedom Riders*, p. 164]

The Administration wanted to downplay the story; Seigenthaler urged Booker to avoid inflaming the situation in the press. The request was too late. The Mother's Day Massacre dominated the Monday morning headlines, with the few photographs of the assaults that had survived attacks on photographers letting people around the country see something they found hard to believe. In addition, CBS newsman Howard K. Smith had been an eyewitness to the brutality in Birmingham. In town by coincidence working on a story about racial issues in the city, he had received a call from Dr. Edwards R. Fields, president of the NSRP, who urged Smith to be at the bus station "if he wanted to see some real action." [*Freedom Riders*, p. 153]

As a result, Smith had seen the beatings, and even managed to interview some of the victims. By telephone from his motel room, he called in reports to the CBS radio network. Arsenault quoted one of the reports:

"One passenger was knocked down at my feet by twelve of the hoodlums, and his face was beaten and kicked until it was a bloody pulp." Obviously shaken by what he had seen, the veteran reporter insisted that "the riots have not been spontaneous outbursts of anger but carefully planned and susceptible to having been easily prevented or stopped had there been a wish to do so." Later in the broadcast, he talked about a dangerous "confusion in the Southern mind" about the sanctity of law and order and went on to suggest that the "laws of the land and purposes of the nation badly need a basic restatement, perhaps by the one American assured of an intent mass hearing at any time, the President." [*Freedom Riders*, p. 165]

As other reporters covered the story, the image of the burning Greyhound bus became an iconic symbol of the Civil Rights Movement.

On Monday, reporters interviewed the Riders, including the heavily bandaged Peck. They had decided to continue their journey by combining forces on the Greyhound bus leaving Birmingham at 3 p.m. Attorney General Kennedy, speaking directly to the group, asked them to give him time to make arrangements for their protection, but his efforts to negotiate with the State's segregationist Governor, John Patterson, proved fruitless.

When the time came to leave for the station, the 14 remaining Riders hoped that the press coverage of the previous day's events would protect them. At the Greyhound station,

they found an angry crowd of white men, but also police and press. They managed to purchase tickets for the ride to Montgomery, but then they heard a radio report that Governor Patterson had refused to guarantee their safety. “The citizens of the state are so enraged, that I cannot guarantee protection for this bunch of rabble-rousers.” State police, according to the news, announced that segregationists were placed along the route from Birmingham to Montgomery to intercept the bus. Governor Patterson was willing to get the Riders out of his State, but not if they were going to Montgomery “to continue their rabble-rousing.” [*Freedom Riders*, p. 170] The station manager canceled the 3 p.m. bus.

The Riders initially decided to wait at the station while negotiations with the Attorney General continued by phone without success. At one point, Kennedy called the station manager, urging him to find a driver for the bus. Surely someone from the bus company, Kennedy told the manager, “can drive a bus, can’t they?” His efforts were in vain.

By 5 p.m., the Riders had decided to fly out of the city. After much debate, they decided to fly to Montgomery rather than to their final destination, New Orleans, to continue their mission. Reverend Shuttlesworth arranged for transportation and police kept the angry crowd back as the Riders departed for the airport where they found that many members of the mob had been alerted to the plan and awaited their arrival.

The police escorted the Riders into the airport where they bought tickets for Montgomery and boarded the plane. However, a Klansman phoned in a bomb threat. Passengers were removed from the plane while it was checked for a bomb. The flight was eventually canceled. When Booker phoned Kennedy with the news, the Attorney General dispatched Seigenthaler to Birmingham.

At the airport, the Riders felt besieged. They voted by a solid majority to end the mission and fly to New Orleans. Perkins was outraged by the vote, taking it out on his white friend, Ed Blankenheim, who had voted to end the mission. “You can go back to being white anytime you want to. You have no right to make decisions where black people are involved unless you are prepared to go the distance.” [*Freedom Riders*, p. 174] Despite the protest, Peck purchased tickets for a flight to New Orleans via Mobile. A bomb threat promptly arrived for the flight, leading to its cancellation.

Just then, Seigenthaler arrived to personally witness the heavy toll the trip through Alabama had taken on the Riders. Five of the riders, he concluded, were too weak to even be at the airport, while three members of the group were acting irrationally. “This is a trap,” one Rider told a reporter, “We’ll all be killed.” The situation – “the bomb threats, the taunts from the police and passengers, the airport staff’s refusal to serve the Freedom Riders food, the threats from the mob outside the terminal” – had taken a severe toll. [*Freedom Riders*, p. 175]

Seigenthaler found the solution. He convinced the airport manager to pick any flight to New Orleans, get the other passengers and their luggage on it then, at the last minute, slip the Riders on, before announcing which flight they would take. He also advised the

manager not to answer his phone because it would just be another bomb threat. At 10:38 p.m., an Eastern Airlines flight lifted off with the 14 Freedom Riders, Seigenthaler, and four journalists on board. They landed in New Orleans an hour later.

Despite the presence of reporters, photographers, and television cameras, the New Orleans police had harassment in mind:

Forming a cordon along the tarmac, a long line of white police officers dressed in riot gear surrounded the Riders as they walked towards the terminal. When some of the officers shouted racial epithets, Seigenthaler became concerned and more than a little angry. Only after he identified himself as a Justice Department official did the police reluctantly back off, allowing the Riders to make their way to a small but deliriously relieved welcoming committee of CORE volunteers. Several of the Riders, with tears of joy streaming down their faces, looking much like returning prisoners of war, collapsed into the outstretched arms of their comrades. Against all odds they had made it to New Orleans after all. The great CORE Freedom Ride of 1961 was over. [*Freedom Riders*, p. 176]

Completing the Freedom Ride

The problem with the safe end of the perilous Freedom Ride through Alabama was that violence had won as it had for so long in the South.

In Nashville, a group of student civil rights activists decided to do something about it. They had just completed the desegregation of the city's downtown movie theaters. Among them was John Lewis, who had departed the Freedom Ride with the intention of returning in 4 days – the 4 days that brought it to an end. He, Diane Nash and other activists vowed to go to Birmingham to complete the Freedom Ride.

Nash had been born and raised in Chicago, had attended Howard University and Fisk University, largely free from the Jim Crow world of the South. Since being forced to use a “colored” rest room at the Tennessee State Fair, she had worked with other students and activists on sit-ins and other tactics to secure desegregation. In April 1960, Nash had been a founding member of the Student Nonviolent Coordinating Committee (SNCC). Now, having just turned 23, Nash was determined to complete the Freedom Ride. She recognized that Lewis, an original Freedom Rider, was a natural leader for the initiative.

Nash called Farmer, still conflicted over the end of the Freedom Ride and his absence following his father's death from the terror of its last days, to let him know of the Nashville students' plan. “You realize it may be suicide,” he told her. She replied, “We fully realize that, but we can't let them stop us with violence. If we do, the movement is dead.” The Freedom Ride, Farmer told her, was a CORE project; he indicated he would fly to Alabama to join Lewis, Nash, and the others.

While associates in Nashville tried to discourage the determined students, the Justice Department heard about the plan. Seigenthaler, still in New Orleans, received a call from

Washington urging him to try to stop the Nashville students. Seigenthaler spoke directly with Nash:

After describing the explosive atmosphere in Birmingham, he asked her to consider a temporary postponement of the Ride. She refused, insisting that delaying the hour of freedom was out of the question. Exasperated, Seigenthaler predicted: “You’re going to get your people killed.” Once again, she was unmoved. If the first wave of Nashville Freedom Riders were to die, she calmly informed him, “then others will follow them.” [*Freedom Riders*, p. 183]

Despite Seigenthaler’s continued efforts with his contacts within the Nashville movement, Nash, Lewis, and the other student activists were determined. Nash called Reverend Shuttlesworth to let him know they were coming. “Young lady,” he asked her, “do you know that the Freedom Riders were almost killed here?” She responded as she had to Seigenthaler, “That’s exactly why the ride must not be stopped. If they stop us with violence, the movement is dead. We’re coming.” Reluctantly, Reverend Shuttlesworth agreed to help. [*Freedom Riders*, p. 184]

The Nashville Freedom Riders consisted of eight African-Americans, including Lewis and two women, and a 21-year old white man and woman. They considered Nash too valuable to the mission to let her participate. Several prepared wills or letters to loved ones; Nash would send the letters if any of the students were killed.

Even as the Justice Department continued its efforts to discourage her, Nash informed Reverend Shuttlesworth when the Nashville Freedom Riders were about to depart. As planned, he sent a telegram to alert Birmingham’s Commissioner of Public Safety, “Bull” Connor, that new Freedom Riders were on their way. Connor had overseen the Mother’s Day assault but the telegram was intended to give him a second chance to protect the constitutional rights of African-Americans.

The Nashville students bought tickets on a Greyhound bus leaving for Birmingham at 6:45 a.m. on Wednesday, May 17, the day the original Freedom Riders had expected to reach New Orleans in time for a celebration on the 7th anniversary of *Brown v. the Board of Education*. They had been instructed to obey Jim Crow laws on the ride to Birmingham to avoid any trouble, and for the most part they obeyed. One of the whites and one of the African-Americans sat defiantly in the front section of the bus, but no one objected, so the ride along U.S. 31 proved uneventful. One of the white students, Salynn McCollum, had missed the departure, and had raced to catch the bus in Pulaski, where she bought a through ticket to Birmingham, Montgomery, Jackson, and New Orleans.

As the bus crossed into Birmingham, the police came aboard. They immediately arrested the white and African-American men seated in the white section of the bus for violating State law. They also checked the tickets held by every passenger to identify those bound from Nashville to New Orleans on the route of the Freedom Ride. In this way, they identified all the Freedom Riders except McCollum, who had purchased her ticket in Pulaski.

When the Greyhound arrived at the terminal at 12:15 p.m., the two students who had been arrested were taken off the bus, which was sealed for further inspection of tickets. McCollum was among the passengers allowed to leave; she called Nash who called the Justice Department to request help.

As a crowd gathered at the station, the police decided that for the Freedom Riders' safety, they would be kept in protective custody on the bus. The Riders tried to explain their constitutional right to get on the 3 p.m. bus for Montgomery, but a billy-club wielding officer blocked the aisle. With the press looking on, the police allowed their luggage to be shifted to the Montgomery bus, but the driver said he would refuse to leave if the Freedom Riders were onboard. His concern was moot in the wake of another bomb threat that led Greyhound to cancel the trip.

Near 4 p.m., the police let the Freedom Riders off the bus and escorted them through the angry crowd into the station's white waiting room. They joined Reverend Shuttlesworth in trying to desegregate the white restaurant, but it was locked. They then managed to desegregate the rest rooms. They sang freedom songs in the white waiting room while awaiting the opportunity to leave for Montgomery.

In Alabama, the political dynamic had shifted dramatically in just the few days since the Mother's Day assault. As Arsenault put it, "Simultaneously restraining the crowd and intimidating the Freedom Riders was turning out to be a difficult proposition, especially with the press looking on." [*Freedom Riders*, p. 189] The police did not want another riot, but as Governor Patterson told a press conference, he could not "guarantee the safety of fools."

The Freedom Riders, including McCollum, hoped to board the 5 p.m. bus for Montgomery, but Bull Connor had them placed in "protective custody." He arrested Reverend Shuttlesworth for interfering. The "agitators" were taken to the Southside jail. Although the reverend was released on bail, the rest stayed in jail. The men, in keeping with Gandhian principles, refused to eat. They could not sleep, so they spent the night singing freedom songs. McCollum, as a white woman, was kept separate in the jail, while the two African-American women were placed in a cell with other African-American prisoners.

In Washington, officials were trying to find a way to defuse the situation. Military intervention was ruled out as likely to remind southerners of the post-Civil War Reconstruction era. They concluded that civilian authorities such as U.S. Marshals and Border Patrol officers could be used because they would be less likely to make the situation worse. Officials hoped that the threat of intervention would prompt State officials to ensure safety, but when President Kennedy called Governor Patterson to urge him to handle the situation safely, the President was told that the Governor had gone fishing and was not available.

On Thursday, Connor blamed Reverend Shuttlesworth for the problem. Displaying the telegram he had received the day before, Connor claimed that Shuttlesworth's actions in notifying the press were the equivalent of shouting "fire" in a crowded auditorium. Connor then attended Shuttlesworth's trial. Reverend Shuttlesworth was convicted, but released on bail. After being released, he told the press that the Freedom Ride would continue.

That night, Harry K. Smith's documentary on racial attitudes in Birmingham aired on CBS. The hour-long program gave white leaders their say in defending segregationist policies. A leading attorney explained the city's troubles:

I have no doubt that the Negro basically knows that the best friend he's ever had in the world is the Southern white man. He'd do the most for him—always has and will continue to do it, but when they, from Northern agitators, are spurred on to believe that they are equal to the white man in every respect and should be just taken from savagery, and put on the same plane with the white man in every respect, that's not true. He shouldn't be.

The program ended with Smith's account of the Mother's Day assault while standing in front of a photograph of Connor. [*Freedom Riders*, p. 196-197]

Connor took action that night. He hustled the remaining Freedom Riders into a caravan that took them to Ardmore near the State line. (The two students who had been arrested were kept in jail, while McCollum had been released into her father's custody. He told reporters he was taking her to New York because, "I sent her to Nashville to get an education, not to get mixed up in this integration mess." [*Freedom Riders*, p. 198-199]) "There is the Tennessee line," Connor told the bewildered Freedom Riders. "Cross it and save this state and yourself a lot of trouble."

Finding a telephone, the Freedom Riders consulted Nash, who let them decide which direction they would travel. She informed them, too, that a second batch of Freedom Riders would soon be leaving for Alabama. They decided to return to Birmingham. She dispatched a car on U.S. 31 for them.

Back in Birmingham, the Nashville Freedom Riders met at Reverend Shuttlesworth's home with the second wave of Riders. Together, the Riders now totaled 19 student volunteers. As before, Shuttlesworth alerted law enforcement officials of the plan to depart for Montgomery that afternoon.

By this time, Federal, State, and local officials were looking for a way to bring the situation to an end without another riot, all frustrated that the Nashville Freedom Riders would not see what the officials viewed as reason. Instead, the Riders and Shuttlesworth headed for the Greyhound station where they made their way into the white waiting room despite a growing and angry crowd that surrounded them outside. Their bus, nearly ready to depart, had room for them, but the station manager canceled the run, claiming he did not have a driver available.

The Riders camped in the station. The police kept most of the protesters out of the station, but allowed several Klansmen in to harass the Riders in petty ways while the Klan's Imperial Wizard, Robert Sheldon, looked on and the angry mob outside continued to grow.

President Kennedy had finally managed to get Governor Patterson on the phone, but the Governor was unyielding. He demanded that the President send someone to Montgomery to discuss the situation. Seigenthaler arrived in Montgomery on Friday for a tense meeting with the Governor and his cabinet. Despite the Governor's furious denunciations, he agreed to a plan for resolving the situation. Police in Birmingham and Montgomery would protect the Riders while they were in those cities. The State police would protect them in between, with the State's director of safety, Floyd Mann, riding along with them.

With the deal in place, Seigenthaler was convinced that Federal intervention would not be needed. What he did not know is that Governor Patterson had changed his mind. Instead of cooperating with the plan, he had secured an injunction from Judge Walter B. Jones barring the Riders from traveling in Alabama. Although Judge Jones pointed out that the injunction presented to him referred to James Farmer and the CORE Riders, not the group from Nashville, he was assured the Governor wanted the injunction. [*Freedom Riders*, p. 205-206]

By Saturday morning, everyone was ready to go. Attorney General Kennedy had tried to intervene with Reverend Shuttlesworth to convince the Nashville Freedom Riders to fly to New Orleans, but the reverend indicated he would be on the bus with them. At the station, the Nashville students appeared for the first bus to Montgomery, but the driver refused to board them. "I don't have but one life to give," he told them. "And I don't intend to give it to CORE or the NAACP." [*Freedom Riders*, p. 207] Only after a warning from the president of Greyhound to the station manager and the appearance of Bull Connor was the driver willing to allow the Nashville Freedom Riders on his bus. The police arrested Reverend Shuttlesworth when he attempted to board, but the others boarded without incident.

A caravan of police cruisers and motorcycles, plus reporters in their own cars, escorted the bus to the Birmingham city line. The Nashville Freedom Riders, who were not aware of the plans for their safety, feared what might happen, but several State highway patrol cars appeared to replace the city force as a State patrol plane tracked the bus as it moved toward Montgomery on U.S. 31. Despite the plan to make all scheduled stops, the bus continued without break toward the capital.

As the bus approached the city line, Mann spoke with Montgomery's public safety commissioner, the segregationist L. B. Sullivan, who assured the State official that city police were waiting at the Greyhound station. Trusting Sullivan's word was one of Mann's biggest mistakes on this day. Only one officer on a motorcycle greeted the bus

when it crossed the city line but the bus arrived at the station safely at 10:23 a.m. No police were evident.

Seigenthaler was not there, either. He did not know that the bus had not made the scheduled stops and was ahead of schedule. He was driving around the station trying to find a parking space.

As the Nashville Freedom Riders stepped onto the loading platform, the station was quiet. They saw taxicabs, a group of reporters, and around 12 white men near the terminal door. What they did not know is that safety commissioner Sullivan had made the same deal with the Klan that they had received in Birmingham – 15 or so minutes alone with the Riders before the police showed up. Over 200 white men, women, and children were in the area waiting for their 15 minutes to begin.

As reporters began to question the Freedom Riders, the attacks began. The reporters were pushed aside. Television cameras and cameras were broken as the mob reached the Freedom Riders, who tried to practice their Gandhian nonviolent stance. The mob attacked them with fists, bats, bricks, chains, tire irons, and fingernails. One of the white men, Jim Zwerg, was the first target, and he was brutally beaten, but each of the Freedom Riders came in for a beating.

In the frenzy, many of the Freedom Riders, including seven women, were pushed off the loading station and ran for safety. The women begged an African-American taxicab driver to take them to Reverend Abernathy's First Baptist Church, but he was unwilling to carry more than four passengers or violate Jim Crow restrictions by taking any white women. He finally agreed to take the five African-Americans, but the two white women, Susan Wilbur and Susan Hermann, were left on the curb.

They approached another African-American cab driver, who objected even as they climbed into the back seat. Before they could argue their desperate case, a white man dragged the driver out of his cab. Others dragged the two women out of the back seat and began beating them.

Seigenthaler, still looking for a parking space, turned the corner and saw the riot taking place. He also saw a teenage white boy repeatedly punching Wilbur. He pulled his car onto the curb. He pulled Wilbur to her feet and urged her to get in his car even as she told him, "Mister, this is not your fight! Get away from here! You're gonna get killed!" Hermann made it into his car, but Seigenthaler was surrounded by the mob:

Suddenly, two rough-looking men dressed in overalls blocked his path to the car door, demanding to know who "the hell" he was. Seigenthaler replied that he was a federal agent and that they had better not challenge his authority. Before he could say any more, a third man struck him in the back of the head with a pipe. Unconscious, he fell to the pavement, where he was kicked in the ribs by other members of the mob. Pushed under the rear bumper of the car, his battered and

motionless body remained there until discovered by a reporter twenty-five minutes later. [*Freedom Riders*, p, 213-214]

Wilbur and Hermann managed to escape without serious injury.

Mann arrived on the loading dock a few minutes into the riot. He had been suspicious of Sullivan's assurances, but had no authority within the city limits. As a result, Mann had stationed highway patrolman a few blocks away, but amidst the chaos inside the station, he had to act on his own. Firing warning shots, he came to the rescue of the Freedom Riders being beaten on the loading platform. He managed to back off some of the attackers.

Sullivan's police arrived 10 minutes into the riot, but initially took no action to halt the beatings. Hearing that Mann was on the loading platform, Sullivan rushed to the scene. As Sullivan tried to assert his authority over Mann, Judge Jones and State Attorney General MacDonald Gallion arrived to take charge. Their primary concern was not to stop the riot or arrest Klansmen, but to read the Judge's injunction to the nearly unconscious Freedom Riders.

Two Freedom Riders and a reporter carried Zwerg, who appeared to be dying, to a taxicab. The white driver refused to drive Zwerg to the hospital. A deputy sheriff arrived – to read the injunction to Zwerg and the two other Freedom Riders. An African-American taxi driver agreed to take them to a doctor, but the police would not allow Zwerg to go. He would have to wait until a white ambulance arrived. Since Sullivan, as he later explained, had arranged for all the white ambulances to be in the repair shop on this date, the ambulance would never arrive. Mann had to intervene, directing one of his patrolmen to drive Zwerg to a hospital. (Zwerg would be hospitalized, but survived his injuries.)

The riot would continue into the late afternoon, long after the Nashville Freedom Riders had found ways out of the area. Too late, Attorney General Kennedy directed John Doar, on the scene from the Department's Office of Civil Rights, to get an injunction blocking the Klan and the NSRP from interfering with interstate transportation. The Justice Department also activated the plan to send U.S. marshals and other nonmilitary law enforcement officials to enforce the civil rights of the Nashville Freedom Riders.

Even while taking these actions, the Attorney General and other Administration officials were aware of the political aspects of the struggle. In the close popular vote in the 1960 election, Kennedy's election had turned on small differences. Although the South was largely Democratic, it had been fighting the national party for years over civil rights. While the Kennedy brothers were outraged by what had happened in Montgomery, they kept their statements evenhanded. The President called on State and local officials "to exercise their lawful authority to prevent any further outbreaks of violence." At the same time, he hoped that citizens of Alabama or visitors to the State "would refrain from any action which would in any way tend to provoke further outbreaks."

In an angry telephone exchange, Governor Patterson and Attorney General Kennedy exchanged accusations. The Governor was opposed to Federal intervention, claiming that Alabama did not need outside help. In the telephone call and a public statement, the Governor made clear he had no sympathy for lawbreakers, agitators, and troublemakers:

While we will do our utmost to keep the public highways clear and to guard against all disorder, we cannot escort bus loads or carloads of rabble rousers about our state from city to city for the avowed purpose of disobeying our laws, flouting our customs and traditions, and creating racial incidents. Such unlawful acts serve only to further enrage our populace. I have no use for these agitators or their kind. [*Freedom Riders*, p. 223]

Like the Kennedys, Governor Patterson had to tend to his own political base as an anti-Washington, States rights leader who would protect Alabama's white population from outside agitators.

Zwerg and another African-American, William Barbee, were hospitalized. Two of the women, Hermann and Wilbur, had been captured by the police and sent by train back to Nashville. The remaining Nashville Freedom Riders found their way to First Baptist Church where they were given refuge.

A Night of Fear

Nash reacted to the news by contacting civil rights leaders from around the country, including Dr. King and Farmer, and encouraging them to join the Freedom Riders in Montgomery. Dr. King, Farmer, and Reverend Shuttlesworth were among the leaders who joined Nash at the church for a rally Sunday evening.

By the start of the rally at 8 p.m., First Baptist was jammed with men, women, and children, most of them African-American. The Nashville Freedom Riders were in the basement, subject to arrest under Judge Jones' order. While U.S. marshals patrolled the area, a few FBI agents were present, along with two plainclothes State detectives assigned by Mann. They saw a white crowd of about 2,000 people who shouted and waved signs, but initially made no attacks.

As the meeting began, several leaders were concerned about the growing crowd outside the church. The crowd had begun throwing rocks at those entering the church and smashing the windows of cars parked along the street by the church. Dr. King and a few others left the basement to go outside to get a sense of the crowd. As soon as the protesters recognized Dr. King, they began shouting and throwing rocks and other objects at him. He quickly reentered the church.

Soon, the mob ignored the U.S. marshals and crossed onto church property. They began banging on the doors, breaking windows, and screaming epithets. They torched the gas tank of a Buick parked near the church, causing an explosion.

As the situation got out of hand, the U.S. marshals called for backup, while Dr. King spoke by telephone with Attorney General Kennedy, who assured him that additional marshals were on the way. Their arrival temporarily relieved the situation, but this quickly assembled force included many officers who had little experience with law enforcement and none with mob control. Their attempt to disperse the mob with tear gas backfired when the wind blew the gas back on the officers and into the church. The small Federal force was soon under attack.

Governor Patterson had secretly been listening in on the conversations with Federal officials, including the Attorney General, waiting for the right moment to assert State control. That moment came around 10 p.m., when he declared “qualified martial rule” in the city. Soon, city police officers and members of the Alabama National Guard under Adjutant General Henry Graham surrounded the church – most of them more sympathetic to the mob than the crowd inside. The head of the Federal force placed his men under Graham’s control. Graham immediately ordered the force to leave the area.

By the time the mass meeting ended, everyone inside was eager to go home. However, State and local forces blocked the doors. The situation, Graham explained to Dr. King, was too unstable. They would have to stay inside the church until the situation was under control. Dr. King called the Attorney General to describe the situation and complain about the departure of the U.S. forces, but Kennedy felt he had done all he could for the Freedom Riders. [*Freedom Riders*, p. 240]

Only after 4 a.m., would the State and National Guard forces relent:

[A] convoy of National Guard trucks and jeeps pulled up in front of the church, and over the next hour the Freedom Riders and the faithful parishioners of First Baptist finally left the scene of a confrontation that none of them would ever forget. [*Freedom Riders*, p. 242]

While the future of the Freedom Ride was in doubt, the Nashville contingent regrouped at the home of a prominent African-American pharmacist along with Dr. King, Farmer, Nash, and other leaders.

The Governor’s declaration of martial law temporarily vacated Judge Jones’s injunction within the city limits, but the Freedom Riders were subject to arrest anywhere else in the State. Therefore, on Monday, attorneys for the Riders went before U.S. Judge Frank Johnson on Monday. John Lewis, the designated plaintiff, testified about the reason for the Freedom Ride and the assertion of legal and constitutional rights. Although Judge Johnson expressed some doubt about the wisdom of the provocative Freedom Ride, he ruled that Judge Jones’s injunction was an unconstitutional infringement of Federal law. As far as the Federal court was concerned, the Nashville Freedom Riders were no longer subject to arrest. [*Freedom Riders*, p. 248]

With the Freedom Riders determined to resume their journey to Jackson on Wednesday, Mississippi Governor Ross Barnett, a proud member of the White Citizens’ Council, sent

a telegram to Attorney General Kennedy:

You will do a great disservice to the agitators and the people of the United States if you do not advise the agitators to stay out of Mississippi.

He said he would not tolerate mob violence or Federal intervention:

The people of Mississippi are capable of handling all violations of law and keeping peace in Mississippi. We . . . do not want any police aid from Washington, either marshals or federal troops. [*Freedom Riders*, p. 251]

He followed up this telegram by putting the Mississippi National Guard on alert and directing State troopers to stop all buses at the Alabama-Mississippi border and search for Freedom Riders.

Governor Patterson was infuriated by the implication that Alabama had not handled the situation properly. In a press conference, he blamed the trouble on meddling Federal officials. He urged them to go home and let State officials handle law and order. The only thing he wanted from the Kennedy Administration was for it to encourage the Freedom Riders to get out of Alabama as soon as possible:

If they want to go to the state line we will see that they get there. I'm opposed to agitation and mob violence no matter who does it. But it's just as guilty to provoke an incident as to take part in one. [*Freedom Riders*, p. 252]

The Attorney General was losing patience with the Riders, who had provoked a series of violent incidents that made the United States look bad at a time when his brother was focused on foreign issues:

The president was first and foremost a Cold Warrior, and his focus on world affairs was never more intense than during the troubled spring following the Bay of Pigs fiasco [in April 1961]. In the midst of getting ready for his first presidential trip abroad—to England and France—he had just learned that Soviet premier Nikita Krushchev had agreed to a June summit meeting in Vienna From the administration's perspective, the timing of the confrontations in Alabama couldn't have been much worse, as the president told [aide Harris] Wofford in no uncertain terms after the Monday morning headlines [about the Mother's Day riot]. "Can you get your . . . friends off those buses?" Kennedy exploded. "Stop them." [*Freedom Riders*, p. 164]

Frantic negotiations continued among officials in Montgomery, Jackson, and Washington. Recognizing that the inept performance of Federal forces at Montgomery's First Baptist Church ruled out their continued involvement as peacekeepers, Attorney General Kennedy enlisted the help of Senator Eastland of Mississippi, a Democrat and an avowed segregationist. The Senator assured the Attorney General that the Freedom Riders would not come to harm in Mississippi, but any attempt to violate the State's

segregation laws would result in arrest. Kennedy, who wanted the Freedom Riders out of the news, accepted the compromise. The key was to keep Federal forces out of the situation and allow the segregationists and States' rights advocates to handle the situation without violence.

Justice in Jackson

The Riders decided to leave for Jackson on Wednesday, May 24. They held a nonviolence workshop to remind the Riders how to handle the situations they were likely to face. The two States and the Kennedy Administration worked out an elaborate security plan, although the Freedom Riders were unaware of the details.

Alabama National Guardsmen escorted the Trailways group of Nashville Freedom Riders along with Dr. King and other leaders to the station, where 500 armed Guardsmen separated the Riders from white bystanders. The crowd, spotting Dr. King, began screaming, but he led the Freedom Riders through the white waiting room and up to the counter:

As several reporters and camera men pressed forward to record the moment, “the white waitresses removed their aprons and stepped back,” but, with the approval of the terminal’s manager, black waitresses from the “negro lunch counter stepped up and took the orders,” thus breaking a half-century-old local color bar. Local and state officials, it seemed, had put out the word that nothing—not even the sanctity of Jim Crow dining—was to get in the way of the Freedom Riders’ timely departure from Montgomery. [*Freedom Riders*, p. 260]

The Riders boarded their Trailways bus without incident, but found that the only other passengers would be reporters and six Alabama National Guardsmen. As the bus pulled out of the station, the Riders saw that it was accompanied by National Guard Jeeps and police cars and motorcycles. The bus would take State Route 14 out of the city, connecting with U.S. 80 in Selma for the 258-mile trip to Jackson. At the city line, the Riders began to understand the security effort put together to get them safely out of Alabama:

In addition to several dozen highway patrol cars, there were two helicopters and three U.S. Border Patrol planes flying overhead, plus a huge contingent of press cars jammed with reporters and photographers. As the Riders would soon discover, nearly a thousand Guardsmen were stationed along the 140-mile route to the Mississippi border. Less obtrusively, there were also several FBI surveillance units placed at various points along Highways 14 and 80. [*Freedom Riders*, p. 262]

It would be a nonstop trip through Alabama, minus the planned rest stop in Selma. Because the bus lacked a bathroom, the Riders were disappointed but they could see the menacing crowds lining the route of the bus into and through the city.

At the State line, Mississippi authorities took over. They escorted the bus safely to the Trailways station. The Riders entered the white waiting room and used the white restroom. All 12 were immediately arrested and taken to the city jail as white protesters cheered. The Riders were charged with inciting to riot, breach of the peace, and failure to obey a police officer – not, as Arsenault noted, violation of segregation laws. They refused an NAACP offer to pay bail, preferring to remain in jail.

Much to the surprise of Alabama officials, a second group of 15 Nashville Freedom Riders arrived at the Greyhound station to buy tickets to Jackson. This group included John Lewis, Hank Thomas, and James Farmer, as well as one white student, Peter Ackerberg, and two women, Lucretia Collins and Doris Castle. Farmer, fearful for his life, almost chose not to get on the bus, but as he later wrote, “only the pleading eyes and words of the teenage Doris Castle . . . persuaded me to get on that bus at the last minute.”

The State hastily put together a security force to escort the bus out of the station at 11:25 a.m. through a large crowd of jeering whites. Despite the reduced security force, the Greyhound arrived without incident in Jackson. The Nashville Freedom Riders were arrested within 3 minutes of arriving as they moved toward the white waiting room. Lewis made it as far as the white rest room where he was arrested while using the urinal.

Attorney General Kennedy was among the officials surprised by the second bus. He issued a statement calling for law and order by all parties:

For the good of the nation, he insisted, the disruptive behavior by individuals and organizations on both sides of the segregation controversy must be halted. “I think we should all keep in mind,” he explained, “that the President is about to embark on a mission of great importance. Whatever we do in the United States at this time which brings or causes discredit on our country can be harmful to this mission.” [*Freedom Riders*, p. 269]

Even as the Greyhound bus was leaving the terminal in Montgomery, a third group of Riders was leaving Atlanta. This group was not affiliated with CORE or the Nashville movement. It was led by William Sloane Coffin, Jr., a 36-year old Yale University chaplain. The group had little difficulty until reaching the Greyhound terminal in Montgomery. The crowd pelted them with rocks and bottles as National Guardsmen struggled to keep the protesters from the nine new Riders.

With help from security forces, Sloane and his associates made it safely out of the station in two cars, one of them driven by Reverend Abernathy. A reporter managed to ask Abernathy about Attorney General Kennedy’s complaint that the Riders were embarrassing the Nation. “Well,” the reverend replied, “doesn’t the Attorney General know we’ve been embarrassed all our lives?” [*Freedom Riders*, p. 271]

In the name of safety, the Attorney General called for a cooling off period by Freedom Riders “until the present state of confusion and danger has passed and an atmosphere of reason and normalcy has been restored.” As part of this cooling off, Kennedy hoped the

arrested Riders would see reason and leave jail on bail. To that effect, he called Dr. King to urge him to pursue a more reasonable approach, but Dr. King rejected the plea. “You must understand,” he told the Attorney General, “that we’ve made no gains without pressure and I hope that pressure will always be moral, legal and peaceful.” He added, “I see a ray of hope, but I am different from my father. I feel the need of being free now.” [*Freedom Riders*, p. 274-275]

Coffin, undeterred by the Attorney General’s statements, led his Riders to the Montgomery Trailways terminal on Thursday to take the bus to Jackson. Of the Attorney General’s viewpoint, Coffin said:

We can’t drag the name of the United States in the mud. The name of the United States is already in the mud. It is up to us to get it out.

However, as soon as they walked up to the white lunch counter, they were arrested on orders from Governor Patterson for disorderly conduct and conspiring to breach of peace. Their hosts, including Reverends Abernathy and Shuttlesworth, also were arrested, bringing the total to 11. [*Freedom Riders*, p. 279-280] Several of Coffin’s group, including Coffin, stayed only 1 day in jail before heading home, while the five remaining prisoners went on a hunger strike.

(Coffin, a former agent of the Central Intelligence Agency, had left the agency and earned a Bachelor of Divinity in 1956. Influenced by the social philosophy of Reinhold Niebuhr, he came involved in the civil rights and antiwar movements. He is best known today for his protests during the Vietnam War.)

Far from backing off, Dr. King convened a meeting on Friday of civil rights groups at Ebenezer Baptist Church in Atlanta to plan an expansion of the movement by organizing the Freedom Ride Coordinating Committee (FRCC):

At the founding meeting, the group agreed to establish recruitment centers in Nashville, Atlanta, New Orleans, and Jackson; to coordinate fund-raising for an all-out assault on Jim Crow transportation; to seek a meeting with the president; and to push for unambiguous endorsements of desegregated travel from both the Justice Department and the Interstate Commerce Commission As the FRCC’s first press release put it, they felt compelled to “fill the jails of Montgomery and Jackson in order to keep a sharp image of the issue before the public.” [*Freedom Riders*, p. 282-283]

The announcement received a mixed reaction, not only from southern segregationists, but liberals and moderates who endorsed the idea of a cooling off period.

That same Friday, the Freedom Riders in Jackson went on trial before Municipal Judge James L. Spencer, a segregationist, on a charge of breaching the peace (the charge of disobeying a police officer had been dropped). Judge Spencer went out of his way to avoid any appearance of unfairness, even letting the African-American and white

defendants sit together in defiance of Mississippi law and custom.

After hearing testimony from both sides, Judge Spencer emphasized that “we’re not here trying any segregation laws or the rights of these people to sit on any buses or to eat in any place.” However, the defendants had come to the State to “inflame the public.” He found them guilty and fined each defendant \$200 in lieu of a 60-day jail term. Most of the defendants chose not to pay the fine, but to serve their sentence. [*Freedom Riders*, p. 285-286]

Over the next day or two, several groups of Riders boarded buses for Montgomery and Jackson. They made it through Montgomery, even using the white facilities, but arrived in Jackson safely only to be arrested for breaching the peace in the white waiting room.

On Monday, May 29, officials transferred 22 Freedom Riders from jail in Jackson to the Hinds County Penal Farm. The initial brutal treatment by the guards, who singled out the “outside agitators” for special attention, prompted three of the Riders to post bail and leave the State. The others, dressed in the traditional black-and-white striped uniforms, were confined to their cells because officials were afraid that if they were put to work on the roads or in the fields, journalists might be able to get to them.

Events continued in several locations. Governor Patterson lifted martial law in Montgomery while Reverend Abernathy and his group continued a hunger strike in jail. The Justice Department asked Judge Johnson to expand the injunction against vigilante groups to include local police officials. The Justice Department had been satisfied with its presentation during the hearing before Judge Johnson, but realized that the defense attorneys had presented a strong case. They focused on the Justice Department’s involvement in the Freedom Rides. The key evidence was a transcript of Attorney General Kennedy’s telephone conversation with the manager of the Greyhound station. The transcript, including Kennedy’s insistence that an African-American driver be found if no white driver would take the bus out, convinced many white citizens that the Justice Department had conspired with the Freedom Riders to undermine the Southern way-of-life. [*Freedom Riders*, p. 297-298]

The New Orleans CORE opened a school for Freedom Riders to teach the principles of nonviolence, with Dr. Bergman, who had been beaten during the recent CORE Freedom Ride, as one of the instructors. Louisiana police were on alert for Freedom Riders; they stopped any vehicle that appeared suspicious, including a bus registered in New York that was carrying the blues singers Clyde McPhatter and Sam Cooke.

Waiting for the ICC

On Monday, May 29, the Attorney General filed a petition asking the Interstate Commerce Commission (ICC), which regulated bus operators and other motor carriers, to adopt “stringent regulations” prohibiting segregation in interstate bus travel, citing the Freedom Riders as evidence of the need. The Motor Carrier Act of 1935 had given the ICC jurisdiction over interstate buses. Arsenault explained the ICC’s action on

desegregation:

Six years earlier the ICC had issued an order mandating the desegregation of interstate train travel, including terminal restaurants, waiting rooms, and restrooms. The November 1955 order had also directed interstate bus companies to discontinue the practice of segregating passengers, but said nothing about segregated bus terminals. Even more confusing was the commission's subsequent decision to forego any real effort to enforce the order. When the ICC won a judgment against Southern Stages, Inc. in April 1961, it was the first instance of even token enforcement of bus desegregation. And even in the Southern Stages case, which involved the segregation of a black interstate passenger in Georgia in the summer of 1960, the hundred-dollar fine levied against the company and a driver represented little more than a slap on the wrist.

The Attorney General's proposal may have reflected desperation to put the controversy in the past as well as his frustration that leaders such as Dr. King had rejected the call for a cooling off period.

Having decided to pursue the change, Kennedy ordered his staff to figure out a way to initiate ICC action. The petition was a unique method of pursuing the ICC change. Amid its legal and legislative citations, the petition stated:

Just as our Constitution is color blind, and neither knows nor tolerates classes among citizens, so too is the Interstate Commerce Act. The time has come for this commission, in administering that act, to declare unequivocally by regulation that a Negro passenger is free to travel the length and breadth of this country in the same manner as any other passenger. [*Freedom Riders*, p. 292-294]

The following day, young protesters picketed the White House to protest the Administration's reaction to the Riders. One sign read:

Attention Robert Kennedy
There's been a 95-Year Cooling-Off Period

That same day, a group of CORE Freedom Riders left New Orleans on an integrated Illinois Central Railroad bound for Jackson. The group included a Howard University student named Stokely Carmichael. As they moved through the station onto the train, they were beaten by an angry white mob, but they made their way to Jackson. All eight were quickly arrested for disorderly conduct and sentenced by Judge Spencer to a \$200 fine and 60 days in the county jail.

They joined several groups of Riders in the county jail, including the group that had initially been sent to the Hinds County Penal Farm. That group had been returned to the county jail after reports emerged that the guards had beaten one of the prisoners. Despite the crowded, miserable conditions and the attitude of the guards, the prisoners kept up their spirits singing freedom songs, much to the annoyance of the guards.

On Friday, June 2, Judge Johnson issued his ruling; it surprised both sides. He issued a preliminary injunction against the Klan and similar groups, and ordered the police to protect all interstate travelers, regardless of race. He also granted a temporary restraining order prohibiting all groups from “sponsoring, financing, assisting or encouraging any individual or group of individuals in traveling interstate commerce through or in Alabama for the purpose of testing the state or local laws as those laws relate to racial segregation.” He indicated he would reconsider the ban in a hearing later that month:

If there are any such incidents as this again, I am going to put some Klansmen, some city officials and some Negro preachers in the Federal penitentiary.

With the media focused on President Kennedy’s trip to Europe to meet with allies and hold the summit with Khrushchev in Vienna, the Freedom Riders and the movement’s leaders took time to reassess their position in view of Judge Johnson’s order. During a June 5 press conference in New York City, Dr. King called for “a second Emancipation Proclamation.” He explained:

The time has now come for the President of the United States to issue a firm Executive Order declaring all forms of racial segregation illegal There is a mighty stirring in this land. The sit-ins at lunch counters and Freedom Riders on buses are making it palpably clear that segregation must end and that it must end soon. [*Freedom Riders*, p. 304-305]

By the end of the week, the Freedom Rides had resumed, generally under the auspices of the FRCC, but avoiding Alabama in view of Judge Johnson’s preliminary injunction. All ended in Jackson where participants were arrested and brought before Judge Spencer, whose patience was stretched to a limit. He threatened to increase the penalties to include 6 months in jail. His threats did not stop the flow of Freedom Riders to Jackson and its jail. From diverse backgrounds and States, group after group made its way to the city.

Even as the rides continued, the NAACP filed a desegregation petition in Federal District Court in Jackson. On behalf of three African-American residents of Jackson, the petition sought to prevent State and local police from enforcing transit segregation in violation of the Constitution. Without citing the Freedom Riders, the petition also sought an end to the breach-of-peace arrests used to “arrest, harass, and intimidate” travelers seeking to use interstate and intrastate facilities without discrimination. The court planned to hear the petition in July. [*Freedom Riders*, p. 312-313]

Officials supporting Jim Crow segregation were further troubled on June 12 when Judge Johnson lifted his temporary restraining order against the Freedom Riders. His new ruling reopened Alabama to the riders.

Jackson was not the only destination of the Freedom Riders. On June 12, CORE announced two rides along the East Coast to Florida. The first, consisting of

18 clergymen, was known as the Interfaith Freedom Ride. The second group of 14 included teachers, students, doctors, and union representatives.

The Riders received service without problems at stations well into Florida. “Much of the state,” according to Arsenault, “particularly northern Florida, was rigidly segregated by law and custom.” However, Attorney General Kennedy had spoken with Governor Farris Bryant to encourage him to avoid the confrontations that had created so many problems in Alabama and Mississippi. The Interfaith Freedom Ride in the Florida Panhandle had difficulty in Lake City where waitresses refused to serve a racially mixed group of clergyman, but received service at the Tallahassee Trailways terminal. At the Greyhound terminal, the manager ensured that African-Americans served African-Americans, but the entire group was able to eat in the same room.

The Interfaith Freedom Riders intended to fly home from the Tallahassee airport, so in the morning they planned to test the airport’s white restaurant. When they arrived in the morning, local authorities closed the restaurant. Eight of the Riders flew home, but the other 10 remained at the airport until it closed at midnight, even as angry whites came to the airport to express their views. After a night at a local Baptist church, the Riders returned with local activists the next day, only to be arrested at midday for refusing an order to leave the airport within 15 seconds.

While the “Tallahassee Ten” experienced the jail’s miserable conditions, the second group of Freedom Riders arrived at the Ocala Greyhound station. When the Riders were blocked by two white men from entering the white cafeteria, police officers ordered the Riders to get back on their bus. Several riders were arrested for refusing to comply while the others desegregated the white restrooms, then headed to Tampa and St. Petersburg. They were accommodated without difficulty.

Judge John Rudd found the Tallahassee Ten guilty and sentenced them to 30 days in jail and a \$500 fine. He admonished the clergymen for their agitation:

Stop and think when you go back home and check the records of crime, prostitution and racial strife there compared to Tallahassee. Then clean up your own parishes, and you’ll find you have more than you can take care of.

The group appealed the conviction as far as the Supreme Court, which refused to interfere with the Florida courts. One of the defendants paid his fine to avoid going to jail, but the others reported to jail in August 1964. After their release, they managed “to eat triumphantly at the same airport restaurant that had refused to serve them in 1961.” [*Freedom Riders*, p. 317-325]

On June 15, 45 Freedom Riders in the Jackson jail were placed into trucks without being told where they were going:

As the convoy lurched northward, however, at least some of the Riders began to suspect that they were on Highway 49, the road to the Delta and the dreaded

Parchman farm. It was a road that thousands of unfortunate Mississippians had taken since the prison's construction in 1904, and very few had survived the experience without suffering lasting physical and emotional scars. [*Freedom Riders*, p. 325]

Because some of the Riders refused to cooperate, their processing into the prison farm was more intimidating than it might have been. That evening, Governor Barnett arrived at the prison with the head of the Mississippi Highway Patrol. The Governor cautioned the guards that "it will be hard for you men to take what they may say to you," and announced that the Riders would not be put to work. They would be kept locked up in isolation.

The prospect of similar treatment did not discourage other groups of Freedom Riders.

Attorney General Kennedy had decided on a new strategy. Having failed to convince the FRCC to accept a cooling off period, he decided to convince civil rights leaders to shift their focus to voting rights agitation, which Justice Department officials thought would be less confrontational. Many of those leaders attended a meeting with Kennedy at the Justice Department on June 16:

After making the administration's preferences clear, Kennedy all but promised to provide movement leaders with tax exemptions, foundation grants, and legal and physical protection if they agreed to shift their attention to voting issues. To several of the students, including the voting rights enthusiast [Charles] Sherrod, Kennedy's offer sounded too much like a bribe, and the meeting nearly broke up when Sherrod jumped to his feet to scold the attorney general. "You are a public official, sir," Sherrod reminded Kennedy. "It's not your responsibility before God or under the law to tell us how to honor our constitutional rights. It's your job to protect us when we do."

Kennedy was encouraged that the leaders had not outright rejected his suggestion, but he soon found that they would not adopt it. On June 17, Reverend King told a news conference at the Los Angeles airport:

We are going to win the transportation fight through passive resistance. Then we will tackle the problem of Negro voting in Dixie. We will make a nonviolent assault on all phases of all segregation. But our big move will be to intensify voter registrations through stand-ins at places of registration and polling, and anything else we can do to emphasize the degree to which the negro is denied his right of franchise. [*Freedom Riders*, p. 329]

That was not the sort of voting rights pursuit the Attorney General had in mind. He was picturing a nonconfrontational pursuit that would not generate negative press coverage in the country and internationally.

As reflected in Harry K. Smith's documentary, southern whites took comfort in their view that African-Americans accepted their life in the segregated South, and that the problem was being caused by agitators from other parts of the country. On June 23, four students from Jackson's historically black Tougaloo College bought tickets at the Trailways station for the bus to New Orleans. When a police officer ordered them to leave the white waiting room, they refused and were arrested. By early July, "scores of black Mississippians followed the lead of the "Tougaloo Four." [*Freedom Riders*, p. 333]

Southern whites also took comfort from their belief that the Riders were inspired by connections with communism. The State Sovereignty Commission, formed in 1956 to protect the sovereignty of the State of Mississippi, looked into CORE and the other groups involved in the Freedom Rides for evidence that they were part of a communist plot. When the commission learned that two of the students in jail had attended a "Fair Play for Cuba" tour in February, southern whites considered the case proved conclusively. "We have known for some time the communist party is behind the freedom rider movement," the public relations chief of the Mississippi Highway Patrol said, "Now we're getting some proof." [*Freedom Riders*, p. 347]

Freedom Rides continued through June and July, with many ending after arrests in Jackson, but CORE was facing a financial burden:

In effect, Mississippi's decision to arrest the Freedom Riders had initiated a war of attrition, a contest between the state's ability to accommodate wave after wave of Riders and the movement's capacity to sustain them, financially and otherwise To this point [early July] much of the financial cost had been postponed by the Riders' decision to forgo bail, but this favorable situation was about to end, thanks to a provision of Mississippi's disorderly conduct statute that required the jailed Riders to post bond within forty days of conviction. Riders who missed this deadline lost their right of appeal and any alternative to serving out their entire sentence. [*Freedom Riders*, p. 364]

Bond was set at \$500 for each prisoner, but after their release, CORE had to arrange to get them home, then back to Jackson for their trial. Moreover, State officials had decided on a legal strategy that would put maximum financial burden on CORE. Mass arrests were normally handled as class actions with prosecutors selecting one or two protesters whose judicial outcome would apply to all members of the class. Mississippi planned to try each Rider individually. As a result, CORE would not only have to pay for the defense, but for transporting each Freedom Rider to Jackson by the date of his or her trial.

The New York Times carried a story in late June headlined "Negro Leaders Seek Halt in Freedom Ride Testing." The article cited "sources among the movement's top leaders" as expressing the view that the Justice Department's petition to the ICC would result in an end to segregated travel. Reduced finances and the failure of southern African-Americans to participate caused the leaders, according to the article, to pull back from this form of protest. However, at a June 26 meeting of FRCC leaders, Nash and other

leaders made clear their determination to continue the Freedom Rides. Whatever Dr. King may have thought of the future of the Freedom Rides at the start of the meeting, by the end he understood the passion and determination of the other leaders. His spokesman told reporters after the meeting that the FRCC would continue the Freedom Rides as long as “segregation is still a living factor.” [*Freedom Riders*, p. 340-341]

In early July, as the FRCC increased the number of local students challenging Jackson’s segregated facilities at bus and rail stations, Mayor Allen Thompson called on the city’s white residents to encourage African-Americans to cooperate in bringing the local protests to an end. He told whites:

Let’s start right now emphasizing what I’ve said about getting over to the colored people their responsibility in this matter. There is no threat, no economic reprisal involved, but just show them how lucky they are to be living and working here in this fine city. Then have them talk to their fathers and mothers and their neighbors about controlling their children who may be causing trouble. Our colored people are not to be afraid, but they must get out and emphasize to everyone they want things to be left as they are. [*Freedom Riders*, p. 370]

In Jackson, Dr. King told 1,500 supporters that “segregation is dead” and the only question was “how expensive the segregationists will make the funeral.” He encouraged residents to continue their nonviolent protests. “Let the Negroes fill the jail houses of Mississippi.” The protests increased almost immediately after the speech. Within 4 days, police arrested 49 protesters, including 23 from Mississippi. When some of the students were found to be under the age of 18, police arrested three organizers of the Jackson Non-Violent Movement, including Diane Nash.

Jackson was not the only target city. A mixed race Freedom Ride from St. Louis, Missouri, to New Orleans had few problems at rest stops until it reached Little Rock on July 10. With the help of police, the four Riders made their way through an angry white crowd into the terminal, where they found that separate facilities had been arranged for interstate and intrastate passengers in technical compliance with the Supreme Court’s *Boynton* ruling, with the intrastate section segregated. The Riders walked into the white intrastate waiting room where they were immediately arrested for breach of peace despite orders from officials for the police to avoid a confrontation.

The youngest, an 18-year old girl, was released, but the other three were convicted on July 12. Judge Quinn Glover imposed the maximum sentence of 6 months in jail and a \$500 fine, but offered to suspend the sentence if the defendants would leave Arkansas and go home. The defendants accepted the deal and left jail, but were intent on continuing on their way to New Orleans. They were soon back in jail, but Judge Glover, under pressure to end the confrontation, conceded that he could not control their destination. They were released and boarded a bus to continue their Freedom Ride. [*Freedom Riders*, p. 376-377]

Because Freedom Riders were encountering different outcomes throughout the South, Governor Barnett became convinced that inconsistency was weakening the case for segregation. He invited the South's Governors to a conference in Jackson on July 19. The conference was a disappointment because only four Governors participated (Alabama, Arkansas, South Carolina, and Mississippi), undermining the appearance of solidarity that Governor Barnett had hoped to demonstrate.

That same day, President Kennedy addressed the issue during a press conference:

In his most forceful statement to date, Kennedy insisted that “there is no question of the legal rights of the freedom travelers, freedom riders, that move in interstate commerce” While he stopped short of endorsing the Freedom Riders’ reason for traveling, he maintained that all Americans, regardless of “the purpose for which they travel[,] . . . should enjoy the full constitutional protections given to them by the law and by the Constitution.” Alluding to the Justice Department petition awaiting consideration by the ICC, he added that he was “hopeful” that the administration position would eventually “become the generally accepted view” and that “any legal doubts about the rights of people to move in interstate commerce” would soon disappear. [*Freedom Riders*, p. 378-379]

Financially strapped and with court proceedings pending, CORE and FRCC called a moratorium on Freedom Rides in August, but only after orchestrating an increase in late July. By the time the moratorium began, Jackson police had arrested nearly 300 people since the start of the Freedom Rides.

For the national press, the Freedom Rides had become routine. Stories no longer made the front page outside the South. The Berlin Crisis dominated the news after East Germany began erecting the Berlin Wall on August 13 to prohibit free migration between the U.S. and Soviet zones.

Approximately 200 defendants were due back in Jackson for arraignment the following day, Monday, August 14. Failure to appear would result in forfeit of their \$500 bond, a price CORE could not afford if too many Riders missed their trial date. CORE managed to get over 190 defendants back to Jackson by the appointed date, with only 9 Riders failing to appear. Appearing in Hinds County Courthouse, they came forward in pairs, stated their plea of not guilty, and were assigned a court date. Hank Thomas, the veteran Freedom Rider, and Julia Aaron, a 22-year old African-American student at Southern University in New Orleans, were selected to be the first defendants, with their trial set for August 22.

On August 15, the ICC held a hearing on the Justice Department’s petition. In anticipation of the hearing, Reverend King had urged the ICC to issue a “blanket order” to desegregate bus, rail, and air terminals:

“The Freedom Riders have already served a great purpose,” he told reporters, highlighting “the indignities and injustices that the Negro people still confront as

they attempt to do the simple thing of traveling as interstate passengers.” He acknowledged, though, that a clear and broad ICC mandate held the power to go even further. If strict compliance were enforced for interstate travelers, all segregated travel would “almost inevitably end,” even among intrastate travelers. “This will be the point where Freedom Rides will end,” he predicted. [*Freedom Riders*, p. 392]

The Administration had been working behind the scenes in preparation for the hearing. In addition to submitting briefs supporting a detailed directive, the Justice Department met with transit industry executives who opposed a comprehensive plan. They were willing to withdraw opposition only to an order on interstate travel, leaving segregated intrastate transit systems in place. Cabinet Secretaries wrote to the ICC from their perspective. Secretary of Defense Robert S. McNamara, for example, explained the demoralizing effect of segregation on African-American personnel traveling in the South. Secretary of State Dean Rusk explained the embarrassment to democracy when diplomats from a largely nonwhite world traveled to Washington:

Rusk’s point received timely reinforcement from a series of diplomatic incidents related to the recent proliferation of black African envoys to the United States Most obviously, the racial segregation that dominated the greater Washington area became an embarrassing reality for the new Kennedy administration. The segregated housing patterns of the District of Columbia, suburban Maryland, and northern Virginia proved to be a major irritant for visiting African families. The primary flash point, though, was the segregated facilities along the Route 40 corridor between Washington and the New Jersey border. When traveling back and forth between Washington embassies and the United Nations headquarters in New York, black Africans discovered that virtually all of the restaurants and other public accommodations were for whites only. [*Freedom Riders*, p. 394-395]

The State Department had set up a Special Service Protocol Section in March 1961 to address the complaints, but the incident on June 26 involving Ambassador Malick of Chad, mentioned earlier, prompted President Kennedy to authorize discussions with Maryland officials and restaurant owners. This issue was unresolved at the time of the ICC hearings.

The trial of Hank Thomas opened on August 22 before an all-white jury. The prosecution’s witnesses testified that the arrest of the Freedom Riders had prevented violence and rioting. Lead defense attorney William Kunstler chose not to present a defense, instead asking Judge Moore to place the Supreme Court’s *Boynton* ruling in the trial record. Judge Moore rejected the motion on the grounds that the ruling was irrelevant to the charges at hand. The jury took 45 minutes to return a guilty verdict. Judge Moore imposed a 4-month jail sentence on Thomas and a \$200 fine. Thomas was released on bond pending appeal.

Thomas’ trial took all day. Julia Aaron’s trial took only 6 hours, but with the same result. The all-white jury returned a guilty verdict after 15 minutes of deliberation. She decided

not to post bail and returned to jail. If many defendants chose bail instead of jail, CORE could face bankruptcy – a goal CORE thought might be part of Mississippi’s strategy of bringing each defendant to trial.

Prior to the first trials, Kunstler had filed an appeal in Federal District Court before Judge Harold Cox. President Kennedy had appointed Cox, an avowed segregationist, to the bench over the strenuous objections of civil rights activists. Now, with the first two trials completed, Judge Cox issued his ruling that the arrests were not about segregation, but about “a pure and simple peace law enacted by the Legislature in good faith to assure peace and tranquility among its people.” He said that “counterfeit citizens” from other States who came to Mississippi with the sole purpose of causing trouble would not find a haven in the Federal District Court, which had no interest, after all, in breach of peace trials. [*Freedom Riders*, p. 422]

With the school year getting underway, some defendants began to pay their fines rather than go to trial and jail. Paying fines, in CORE’s view, was an admission of guilt, but the organization could only hope that other Freedom Riders would remain true to nonviolent principles and accept the verdict of unjust courts. Moreover, 14 Tennessee State students who had participated in Freedom Rides had been expelled after Governor Buford Ellington directed State education commissioner Joe Morgan to investigate their activities.

Another 78 Freedom Riders were arraigned in Jackson on September 11, all pleading not guilty, and given court dates in the spring of 1962. On September 12, the U.S. Fifth Circuit Court of Appeals upheld Judge Johnson’s ruling in Alabama that William Sloan Coffin, Jr., Reverend Shuttlesworth, Reverend Abernathy, and six others must stand trial.

These and other reverses gave hope to those attempting to block integration. On the evening of September 12, the White Citizens Council held a rally in Montgomery:

As more than 800 WCC members looked on, the special guest speaker, Governor Ross Barnett, reported that the “ruthless actions” of the Freedom Riders, the NAACP, and meddlers such as Chief Justice Earl Warren had backfired. Outside agitators were on the run, Barnett declared, and even in the North the integration cause was losing ground. Back in Jackson, according to the Governor, the Freedom Riders were finally learning the full meaning of Mississippi justice. [*Freedom Riders*, p. 432]

The *Jackson Daily News* reported on September 18 that CORE had offered to halt Freedom Rides into Jackson if officials would halt prosecutions and let 250 appeals be adjudicated by the circuit and State supreme court justices. Mayor Thomas, according to the article, “did not intend to yield one inch in prosecuting those who violate our local laws.” He added, “We feel we have completely broken the Freedom Rider movement here.”

The ICC Ruling

At this low moment in the movement, the ICC issued its unanimous ruling on September 22 prohibiting racial discrimination in interstate bus transportation. Because 10 of the 11 commissioners had been appointed by President Eisenhower, and only one by President Kennedy, the unanimous verdict was a surprise:

[Endorsing virtually every point in the attorney general's petition, the commission announced that, beginning on November 1, 1961, all interstate buses would be required to display a certificate that read: "Seating aboard this vehicle is without regard to race, color, creed, or national origin, by order of the Interstate Commerce Commission." Displaying the signs would be mandatory until January 1, 1963, but the commission reserved the right to extend the requirement indefinitely. Beginning in 1963, federal law would require the same text to be printed on all bus tickets "sold for transportation in interstate or foreign commerce." This provision, which made an allowance for the thousands of tickets already printed, was the only delay granted by the commission. As of November 1, all terminals serving interstate buses would be required to post and abide by the new ICC regulations. Interstate carriers were forbidden to use racially segregated terminal facilities, which, according to the commissioners, were still common "in a substantial part of the United States." "In many motor passenger terminals," they reported, with a suggestion of feigned surprise, "Negro interstate passengers are compelled to use eating, rest room and other facilities which are segregated."

The commissioners did not extend the rule to independent roadside restaurants or other facilities where buses stopped only to pick up or discharge passengers:

However, the commissioners made it clear that the new rules applied to any ticket agent who "offers or provides facilities for the comfort and convenience of passengers, such as a public waiting room, rest room, or eating facilities." The ICC order also required bus operators to report any attempts to interfere with the new regulations and provided fines of up to five hundred dollars for each violation. [*Freedom Riders*, p, 439]

The rule applied only to interstate bus travel, not to air or train travel.

Although many observers praised the ruling, others were skeptical:

To most white Southerners, the ICC ruling appeared to be just another unenforceable edict. In May 1955 the Supreme Court had ordered the implementation of school desegregation "with all deliberate speed," yet six years later all but a handful of Southern schools remained segregated. In November 1955 the ICC had ordered the desegregation of interstate railway travel, yet racial segregation was still the general rule on Southern trains in 1961. [*Freedom Riders*, p. 441]

African-Americans praised the ruling, but its effect would depend on enforcement – and on that, they were skeptical. CORE, NAACP, FRCC, and other groups planned to begin testing enforcement in November. They dispatched dozens of groups throughout the South, the most ambitious test and the most difficult to coordinate.

The testers encountered less resistance than expected, as Arsenault explained:

The best news came out of Virginia, Kentucky, Texas, and West Virginia, where the tests found total compliance. In Florida, where tests were conducted at bus stations in Jacksonville and the Panhandle communities of Tallahassee and Marianna, there was compliance but no sign of the required ICC postings; the same was true in Arkansas, where Freedom Riders were served at bus stations in six cities. In Tennessee there was compliance in four of the five bus stations tested, with mandated segregation persisting only in the small town of Linden. In North Carolina the only community to enforce transit segregation on the first day of the new order was the tiny Piedmont town of Wadesboro, just down the road from Monroe. And in Oklahoma noncompliance was limited to McAlester, a remote hill town in the southeastern part of the state.

In other States, the testers found mixed results. In South Carolina, for example, the testers found compliance in Charleston, Columbia, Greenville, Rock Hill, Spartanburg, and Sumter, but separate facilities in Camden, Florence, and Lancaster. In Camden, the Trailways station manager “endorsed compliance but insisted that many black passengers were confused by the ICC order and ‘didn’t know where to sit.’”

The testers also found mixed results in Louisiana where New Orleans and southern parishes were in compliance with the order, but in some parts of the State, the Freedom Riders “encountered stiff resistance from police determined to maintain segregated facilities.”

Georgia was challenging the ICC ruling in Federal court, but the testers saw that many communities, including Thomasville, Valdosta, Macon, and Augusta, were in compliance. However, four Freedom Riders were arrested in the Atlanta Trailways station for trying to desegregate the whites-only lunch counter. [*Freedom Riders*, p. 456-457]

The biggest challenges, as expected, were in Alabama and Mississippi, where many officials were determined to resist the ICC order. Governor Patterson of Alabama said that if the Freedom Riders “continue to invade our state and continue to try to run over us, we want to serve notice that we are going to defend ourselves and we are not going to take it lying down.” In Birmingham, Bull Connor agreed with the Governor’s intent.

The Freedom Riders found compliance in some Alabama communities, including Anniston. At the Greyhound station in Birmingham, the manager of the cafeteria, Ralph Sizemore, agreed to serve them. However, he was quickly arrested for violating city ordinance. The police did not arrest the testers. When testers returned a few days later,

Sizemore again agreed to serve them, but he and two waitresses were arrested. Police would arrest the manager two more times in coming days. Attempts to solicit Justice Department intervention to enforce the ICC ruling prompted discussions with State and local leaders, but no action.

The Freedom Riders found similar resistance throughout nearly all of Mississippi, except in Greenville where the testers were served without incident. Violations varied, from installation of the mandatory signs but ignoring them, closing facilities for “repairs” when testers arrived, to simply ignoring the order. The biggest problems, as expected, were in Jackson. At the Trailways station, the manager had posted the mandatory sign and painted over the “White” and “Colored” signs, but police posted temporary Jim Crow signs on the sidewalk. Testers were arrested for violating the peace. [*Freedom Riders*, p. 458-459]

In Maryland, CORE decided to piggyback on Federal efforts to desegregate U.S. 40. In September, the head of the State Department’s Route 40 initiative, Richard Sanjuan, had addressed the State legislature. He had told the legislators, “When an American citizen humiliates a foreign representative or another American citizen for racial reasons, the results can be just as damaging to his country as the passing of secret information to the enemy.” When the legislature dug in its heels, CORE launched a Route 40 campaign with promises of a massive Freedom Ride along the corridor on November 11. The threat prompted about half of the restaurants along Route 40 in Delaware and Maryland to desegregate. CORE called off the ride, but promised to test desegregation over time. [*Freedom Riders*, p. 461-462]

The Justice Department turned to the Federal courts for assistance in enforcing the ICC ruling. One of the key test cases involved McComb, Mississippi, where police had installed Jim Crow signs outside the bus and train stations on November 1. The Department sought an injunction, which was granted by the Fifth Circuit Court of Appeals. The court’s November 21 ruling also found three Mississippi laws on segregation of intrastate passengers unconstitutional. Department attorneys filed the papers in Jackson on November 27, and with officials in McComb the following day. Mayor C. H. Douglas promised compliance. “There are no two ways about it. That means no attempt will be made to separate as far as race is concerned.” He ordered the signs removed overnight.

Freedom Riders arrived from New Orleans by Greyhound the following day, making their way through a small crowd of angry whites. The station was closed because of “a gas leak.” The testers returned several hours later, but were ordered to leave the station by the manager, who told them, “Greyhound does not own this building.” White onlookers attacked the testers, who escaped with minor injuries. The testers left McComb, but Freedom Riders arrived from Baton Rouge the next day. Police kept back a large white crowd, but the testers found the lunch counter closed. They stayed in the waiting room for a short while, then left the station without violence. Instead, the crowd attacked several reporters and photographers, but not the 40 FBI agents on the scene.

A third group of Freedom Riders arrived on Saturday without notice and remained in the white waiting room without incident for several minutes. Quickly, a small group of whites arrived to attack the testers, but the police kept violence to a minimum as the testers left the station.

That afternoon, Judge Sidney Mize issued a 10-day restraining order prohibiting further tests in the city until he could rule on the matter. At the December 7 hearing, Judge Mize extended the restraining order for 2 weeks. Appeals were filed, but were assigned to Judge Cox, the segregationist appointed by President Kennedy. Judge Cox upheld Judge Mize's ruling on December 22. He concluded that the injunction applied only to outside agitators, not to African-Americans as a racial group, thereby avoiding conflict with the ICC order. The Fifth Circuit Court of Appeals dismissed his reasoning and overturned the injunction. Arsenault summarized the result:

Of the seven communities placed under court order by the Justice Department in 1961, McComb probably did the most to tip the balance in favor of decisive federal action. [Freedom Riders, p. 462-468]

In mid-October, Attorney General Kennedy had negotiated desegregation of trains and depots operated by the Southern, Louisville and Nashville, and Illinois Central rail lines, with other smaller lines agreeing as well. The Freedom Riders undertook a test of the agreement in a Georgia ride from Atlanta to Albany, where a major effort was underway to overturn Jim Crow rules. On December 10, the testers had little difficulty until they reached Albany, where police chief Laurie Pritchett arrested them. When a mass demonstration took place on the day of the testers' trial, he arrested 267 protesters, and 202 more the following day, many of them high school students. With the arrests making national news while local officials were unsure how to fight the movement, local demonstrators desegregated the Trailways terminal.

Local activists and officials negotiated through go-betweens during the week. On December 15, Dr. King arrived for a mass meeting. The following day, he was among 265 marchers arrested, bringing the total in jail to over 400. "I will not accept bail," King told reporters. "If convicted, I will refuse to pay the fine. I expect to spend Christmas in jail. I hope thousands will join me." However, Federal efforts to defuse the situation resulted in the release of most of the prisoners, including Dr. King, when trials were postponed for 60 days.

The confrontation had divided major civil rights groups as they argued about whether to stage a mass protest in Albany. The willingness of Dr. King to leave jail and Albany while a biracial desegregation commission tried to sort out the situation was undercut when Chief Pritchett gloated that Dr. King had left without resolution of the situation that brought him to town. The division among civil rights groups grew as many leaders agreed with the *New York Herald Tribune* that his departure resulted in "a devastating loss of face." The Justice Department's failure to challenge the arrests undercut confidence in its enforcement efforts because it was "a troubling reminder of the political

constraints that had delayed civil rights enforcement in the past.” [*Freedom Riders*, p. 469-474]

End of a Transition Year

As 1961 came to an end, the Freedom Riders could look back on a transition year. Arsenault summarized the results:

As the year of the Freedom Rides drew to a close . . . despite a general pattern of compliance with the ICC order, there was a great deal of desegregation work left to be done in the Deep South. “A well-advertised group of Freedom Riders may receive police protection,” columnist Anthony Lewis wrote in the New York Times on December 3, “but it would probably still be a brave, indeed foolhardy local Negro who sat down at the ‘white’ restaurant in an Alabama or Mississippi bus terminal” Indeed, even in the Upper South and border states, where virtually all terminals, buses, and trains were desegregated, there were pockets of dogged segregationist resistance, as a series of arrests at several Route 40 restaurants demonstrated on December 16

In most areas outright resistance had been replaced by a spirit of resignation, and evidence of real progress could be seen in some of the South’s toughest white supremacist strongholds.

Even Bull Connor and officials in Birmingham gave up his attempts to keep transit facilities segregated. When his attempts to revoke the license of the restaurant in the Trailways station were blocked in January 1962 by Federal District Judge Seybourn H. Lynn, a conservative segregationist, “Connor and the commissioners conceded defeat on the narrow issue of segregated transit facilities and transferred their energies to other fronts in the war against desegregation and federal encroachment.” [*Freedom Riders*, p. 474-475]

The Supreme Court would raise hope, then deal a blow to the movement’s efforts to avoid the Jackson court cases. A December 16 ruling overturning convictions under the breach of peace statutes in a Baton Rouge sit-in case had raised hope for the Riders that the similar charges in Jackson would be overturned. However, the Supreme Court ruled unanimously on December 18 to deny the appeal of the breach of peace charges in Jackson. The ruling turned on a technicality, namely that the three defendants chosen to represent the class of plaintiffs had not been arrested for breach of peace. Finding that the plaintiffs lacked standing, the Justices did not consider the broader issue that NAACP attorneys had argued about the breach of peace statutes. [*Freedom Riders*, p.476]

In Jackson, where the only change was that the Jim Crow signs had been removed in compliance with the ICC ruling, the trials would continue through May 1962. Arrests

for breach of peace also would continue, although the Freedom Rides would end:

NAACP attorney and future Harvard Law School professor Derrick Bell discovered this on January 10, when he was arrested for loitering in the white waiting room of the Jackson railroad terminal, and three weeks later the police arrested Ernest McBride, a black soldier from Los Angeles, for a similar infraction at the Jackson Greyhound station.

A second unanimous Supreme Court ruling on February 26, 1962, in *Bailey v. Patterson*, left the situation confused. Samuel Bailey and three other African-Americans from Jackson had sought injunctive relief from Jim Crow restrictions, but had not been arrested for violating them or any other reason. They were simply seeking their constitutional rights. The court ruled that it had “settled beyond question that no state may require racial segregation of interstate or intrastate transportation facilities.” Arsenault summarized the confusion caused by the ruling:

Once again, however, the situation was muddied by the Court’s refusal to issue an injunction staying the prosecution of the Freedom Riders arrested in Jackson. According to the Court, since the plaintiffs were not actually Freedom Riders and had never been arrested as such, Bailey and the others had no standing to enjoin the prosecutions. Though technically correct, this decision created confusion and ensured continued resistance on the part of Mississippi segregationists interested in preserving Jim Crow transit. [*Freedom Riders*, p. 478]

Segregationists felt empowered to use violence and the jails if necessary to block “outside agitators.” Change would come slowly to Mississippi:

Here, more than anywhere else, movement leaders had to deal with a ferocious form of white supremacist resistance paradoxically fueled by a combination of outside intervention and the apparent futility of that intervention. In the long run the ICC order would lead to grudging desegregation and ultimately to new social mores, but in the short run, the perceived emptiness of the Freedom Riders’ victory encouraged continued resistance on all fronts, including voting rights and school desegregation. With the help of meddling federal officials, outside agitators had invaded the state, yet the Mississippi way of life remained intact. Among white Mississippians in 1962, this was the primary lesson conveyed by the Freedom Rides. [*Freedom Riders*, p. 481-482]

Nevertheless, the Freedom Riders brought change to Mississippi by mid-1963:

Early in the year the Justice Department filed lawsuits against the police departments of Greenwood and Winona, which had persisted in enforcing segregation at local terminals, but in June the department reported that its investigators “knew of no rail, bus, or airline facility still maintaining segregation,” in Mississippi or anywhere else. While *de facto* and self-segregation remained common, especially in communities where unmarked but

duplicate waiting rooms and other facilities survived, and many Mississippi blacks were still wary of asserting the right to sit where they pleased, the age of systemic, legally enforced transit segregation was over For at least some of the Riders arrested in Jackson and McComb, and for the attorneys who represented them, the legal ordeal of appeals, continuances, and court appearances continued until 1965. But by that time the first major civil rights victory in the nation's most hidebound state was secure, suggesting that the Rides were only a prelude to further struggle and ultimate triumph. [*Freedom Riders*, p, 482-483]

Progress was also slow in Louisiana, particularly in Shreveport and Baton Rouge. “The spirit of outright defiance continued well into 1962, making Shreveport one of the last cities in the region to comply with the ICC mandate And it would be several years before local blacks could comfortably exercise the rights guaranteed by the ICC without risking economic retaliation or police harassment.” Despite official efforts to resist in Baton Rouge, “the prominence of the capital ensured that transit desegregation would come earlier than in Shreveport”

In New Orleans, resistance to school desegregation slowed compliance with the ICC order. Segregationists led by George Singelmann of the Greater New Orleans Citizens' Council decided to fight the outside agitators from the north by proposing Reverse Freedom Rides in April 1962:

Singelmann's original plan, advertised on handbills distributed throughout southeastern Louisiana, offered “Free Transportation plus \$5.00 for Expenses to any Negro Man or Woman, or Family (No limit to size) who desire to migrate to the Nation's Capital, or any city in the north of their choosing.” On the back of the flyer, Singelmann printed a list of the addresses and phone numbers of welfare departments and NAACP and Urban League offices in Washington and four other Northern cities, ostensibly to help the Reverse Freedom Riders find a job after they arrived.

The goal was to tell the North “to put up or shut up.” President Kennedy called it “a rather cheap exercise . . . in publicity,” but Singelmann planned to send a one-way “freedom train” filled with “1,000 Negroes” to the north. His idea spread to nearby States, with the Capital Citizens' Council of Little Rock directing its Reverse Riders to Hyannis, Massachusetts – summer home of the Kennedys:

When, as expected, the actual reception accorded the scores of black migrants to Hyannis proved to be something less than grand, [Citizens' Council president Amos] Guthridge declared his experiment had confirmed the immutable nature of racial segregation. Here, as elsewhere, there were individual acts of kindness that belied the Citizens' Councils' sweeping claims that all white Northerners were racially prejudiced. But the generally inhospitable response of Northern officials—which included Massachusetts governor John Volpe's request for federal legislation outlawing the Reverse Rides—allowed the Citizens Council to score propaganda points that were trumpeted by conservative commentators north

and south. “Listen to them squirm!” advised the Chicago-based columnist Paul Harvey. “The hypocrisy of pompous Northern do-gooders has never been more apparent.” More sympathetic observers pointed out that factors other than racism were involved—that Volpe and others were understandably worried that a flood of impoverished migrants would overwhelm an already overburdened welfare system in unprepared Northern communities—but it was difficult to counter the general impression that Northern hypocrisy had been exposed.

The Hyannis migrants soon moved elsewhere, while by midsummer, “the negative publicity surrounding the general disillusionment of the approximately two hundred blacks who had joined the Reverse Freedom Rides had convinced almost everyone, including most Citizens’ Council leaders, that the program had run its course. By the fall, the groups backing the Reverse Rides withdrew financial support, bringing them to an end. [*Freedom Riders*, p. 484-486]

In 1962, CORE launched a campaign called Freedom Highways to extend the Route 40 campaign throughout the southeast to desegregate Howard Johnson’s roadside restaurants. The restaurants in Florida and Maryland had capitulated by June, and more States would follow, aided by liberal leaders such as Governor Terry Sanford of North Carolina and Senators Estes Kefauver and Albert Gore of Tennessee, who had replaced the segregationist leaders of the past.

(Maryland would pass a public accommodations law in 1963, but only after the legislature exempted Southern Maryland and the Eastern Shore, the State’s two most segregationist areas. The law was expanded to those areas the following year, making it statewide.)

In assessing the impact of the 1961 Freedom Rides, Arsenault said that they “exerted an impact that transcended tangible, quantifiable changes in institutional behavior or public policy.” He continued:

Within six months of the first Ride, travelers of all races were sitting side by side on buses and trains all across the nation without fear of arrest, the WHITE and COLORED signs that had blighted the walls of Southern bus and train stations for decades were gone, the nation’s major civil rights organizations had undergone significant transformations, and the Justice Department had been pushed into a deepening engagement in civil rights matters.

Beyond the immediate results was a change in approach:

In the course of six months, the nation’s first mobile nonviolent army expanded the realm of the possible in American political and social insurgency, redefining the limits of dissent and setting the stage for the escalating demands and rising expectations of the mid- and late 1960s The rising movements for women’s rights, military withdrawal from Southeast Asia, environmental reform, gay and lesbian rights, and the rights of the disabled all built upon the foundation of

legitimacy and success established by Freedom Riders and other nonviolent activists in the early 1960s. [*Freedom Riders*, p. 511-512]

[Author's Note: As the citations make clear, I have relied heavily on Raymond Arsenault's account of the Freedom Rides in writing the sections of this article on the subject. I encourage readers who would like more information about this important stage in the Civil Rights Movement to read his detailed, authoritative, and readable account.

Arsenault, Raymond, *Freedom Riders: 1961 and the Struggle for Racial Justice*, Oxford University Press, 2006]

Getting to the March on Washington, August 28, 1963

Leaders of the Civil Rights Movement were rarely unified on tactics or strategy. The NAACP preferred litigation to marches and protests. Dr. King believed in nonviolent protest, as he explained in a letter he wrote on April 16, 1963. He was serving in a Birmingham jail cell after being arrested during mass protests that included large numbers of students:

You may well ask, 'Why direct action? Why sit-ins, marches, etc.? Isn't negotiation a better path?' You are exactly right in your call for negotiation. Indeed, this is the very purpose of direct action. Nonviolent direct action seeks to create such a crisis and establish such creative tension that a community that has constantly refused to negotiate is forced to confront the issue. It seeks to so dramatize the issue that it can no longer be ignored History is the long and tragic story of the fact that privileged groups seldom give up their privileges voluntarily. . . . We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed.

In Birmingham, the peaceful protests provoked Bull Connor to an excess that shocked the Nation as television, newspapers, and magazines displayed images of fire hoses and dogs unleashed on students, women, and other nonviolent marchers. The second week of May 1963, protesters flooded the central business district. Taylor Branch described the result:

King's demonstrators literally carpeted Birmingham's downtown business district that second week of May. Having no place to put them, police officers in their midst shrugged helplessly to the city's business leaders, who were traumatized by the sudden evaporation of normalcy and commerce alike. Nearly two hundred reporters had converged from as far away as Germany and Japan. "We are not sitting idly by," President Kennedy's spokesman announced tersely in Washington. "We just can't say anything." Privately, Kennedy and several members of his Cabinet were calling the heads of corporations with subsidiaries in Birmingham, urging them to enter negotiations with King, and on Friday, May 10, Fred Shuttlesworth announced triumphantly that Birmingham "has reached accord with its conscience." Birmingham's merchants had accepted a schedule for desegregating their dressing rooms and lunch counters—even hiring Negro

clerks. “Now this is an *amazing* thing!” King cried out at the mass meeting. [Branch, Taylor, *Pillar of Fire: America in the King Years 1963-1965*, A Touchstone Book, Simon and Schuster, 1999, p. 80-81]

In May 1963, the different philosophies among Civil Rights leaders came together in an unexpected way in Jackson, Mississippi. A small sit-in on May 28 grew to major proportions dominated by African-American students, many defying their parents, marching through the city into the arms of police who carried hundreds of them off to jail, taking the overflow in garbage trucks. *The New York Times* captured the day in a six-word headline: “Jackson Police Jail 600 Negro Children.”

Medger Evers was the leader of the movement in Jackson, but as an official of the NAACP, he could not endorse marches for the purpose of mass arrests. He begged Roy Wilkins to reconsider NAACP policy, but Wilkins hesitated before relenting, as Branch explained:

Secretly—and not for the first time—Evers collaborated by phone with King. He told his New York office that King might come to Jackson if the NAACP avoided command, and the specter of such a coup helped motivate Wilkins to fly to Jackson on the evening of the six hundred arrests. He did not tell his wife, to spare her the worry and himself her objections.

The Justice Department rushed advisors to the area, including Thelton Henderson, the Civil Rights Division’s first African-American staff attorney. Police arrested Wilkins and Henderson. Wilkins bailed out and returned to New York.

This moment of collective strategy gave Dr. King the idea that the time had come to take the movement national with a mass protest that would go beyond the localized battles that saw advances move city-by-city. He speculated that if he could get A. Philip Randolph, who had threatened marches to achieve his ends, but had never organized one, to support the idea, the NAACP would agree to the proposal. Branch summarized a conference call among Dr. King and advisors that summarized the idea at its genesis:

“We are on a breakthrough,” he said, “and we need a mass protest.” King wanted to think beyond individual movements. “We are ready to go on a national level with our protests,” he said King fed off the idea in a rush. If [Randolph] endorsed a giant rally, Randolph’s stature as the unifying senior presence among the quarrelsome civil rights leaders would make it difficult for Wilkins and the NAACP to withhold support, especially now that Wilkins was newly baptized [by his arrest] for protest. “Roy will only act under extreme pressure,” said King. Now there was an opening to get Wilkins behind a giant national protest that could concentrate, symbolize, and define the spreading energy of local movements before they dissipated or something went wrong. That in turn could push President Kennedy into being a crusader who could move the country and a recalcitrant, fearful Congress. They agreed that it would take a crowd of a

hundred thousand to generate enough political force, and that it would take at least until August to mobilize. [*Pillar*, p. 101-102]

Randolph and Wilkins agreed to sponsor the march, along with CORE, Southern Christian Leadership Conference, Urban League, and SNCC. They agreed on the goals of the march, which was scheduled for Wednesday, August 28:

- Passage of meaningful civil rights legislation.
- Immediate elimination of school segregation.
- A program of public works, including job training, for the unemployed.
- A Federal law prohibiting discrimination in public or private hiring.
- A \$2-an-hour minimum wage nationwide.
- Withholding Federal funds from programs that tolerate discrimination.
- Enforcement of the 14th Amendment to the Constitution by reducing congressional representation from States that disenfranchise citizens.
- A broadened Fair Labor Standards Act to currently excluded employment areas.
- Authority for the Attorney General to institute injunctive suits when constitutional rights are violated. [*U.S. News & World Report*, September 9, 1963]

As author Thomas Gentile pointed out in his history of the march, the Kennedy Administration opposed the planners' initial goal of holding the demonstration on Capitol Hill. The Administration also wanted to avoid a "march," suggesting instead a rally on the grounds of the Washington Monument. As a compromise, the Administration and organizers agreed on the Washington Monument grounds as a rallying point for a short march of less than a mile to the Lincoln Memorial. [Gentile, Thomas, *March on Washington: August 28, 1963*, New Day Publications, 1983, p. 65-66]

Although the Lincoln Memorial had symbolic significance for march organizers, the grounds were not ideal for a mass rally. The long Reflecting Pool occupies much of the space before the Memorial. Trees along both sides of the Reflecting Pool block the view for most participants in any large event staged on the memorial grounds. In later years, event organizers would post large television monitors around the grounds so participants could watch events they could not see directly, but that was not an option for August 28, 1963.

As August 28 approached, organizers and officials planned for a crowd of about 150,000. Housing had to be arranged, especially with African-American families in the area. With stores closed, arrangements had to be made for the marchers' needs. Over 100 portable toilets were set up along with 16 first-aid stations. Spouts were attached to fire hydrants so marchers would have access to drinking water.

News organizations began extensive coverage:

Like other formative experiences of the mass communications era—the coronation of Britain's Queen Elizabeth in 1953, the presidential conventions, the dramas of astronauts rocketing from launchpad to splashdown—the Freedom

march commanded national attention by preempting regularly scheduled television programs. Broadcast networks voluntarily surrendered their revenues, and gathered their most important news correspondents to preside over a transcendent ritual of American identity. As the first ceremony of such magnitude ever initiated and dominated by Negroes, the march also was the first to have its nature wholly misperceived in advance.

Dominant expectations ran from paternal apprehension to dread. On *Meet the Press*, television reporters grilled Roy Wilkins and Martin Luther King about widespread foreboding that “it would be impossible to bring more than 100,000 militant Negroes into Washington without incidents and possibly rioting.” In a preview article, *Life* magazine declared that the capital was suffering “its worst case of invasion jitters since the First Battle of Bull Run.” President Kennedy’s advance man, Jerry Bruno, positioned himself to cut the power to the public address system if rally speeches proved incendiary. The Pentagon readied nineteen thousand troops in the suburbs; the city banned all sales of alcoholic beverages; hospitals made room for riot casualties by postponing elective surgery. More than 80 percent of the day’s business revenue would be lost to closed and empty stores. Although D.C. Stadium stood nearly four miles from the Lincoln Memorial rally site, Major League Baseball canceled in advance two night games between the Minnesota Twins and the last-place Senators. With nearly 1,700 extra correspondents supplementing the Washington press corps, the march drew a media assembly bigger than the Kennedy inauguration two years earlier. [*Pillar*, p. 131-132]

District officials shifted prisoners from the D.C. Jail to Lorton Reformatory in Virginia to make room for protesters in the event of mass arrests. [“Throng Gets Quick Start,” *The Evening Star*, August 28, 1963]

The reality would be far different, first in size. Nearly 250,000 people would crowd around the Reflecting Pool and the area beyond to face the Lincoln Memorial for the ceremony easily surpassing the 100,000 that Dr. King thought would be a sign of success. Although predominantly African-American, the crowd included an estimated 60,000 white participants, including church groups and union members. Between 75 and 100 Members of Congress attended.

But first, the marchers had to get to Washington from around the country by road, rail, and air.

Organizers had arranged for buses to bring thousands of marchers to Washington. Gentile described how the transportation system accommodated the marchers:

Buses from Boston left at 11:00 p.m. on Tuesday night for a long, 8-hour ride to Washington, but there were others who took longer bus rides from places like Milwaukee, Little Rock, and St. Louis. New York City was active throughout the night in a scene reminiscent of a holiday eve. Port Authority Bus Station and

Penn Station were crowded with travelers, rare for the middle of the night on a Wednesday in August. At Penn Station, where special trains had left at 2:00 a.m., and again shortly after dawn, authorities reported the largest early morning crowd since the end of World War II. At 1:30 a.m. buses began leaving Yankee Stadium for the 5-½ hour drive to Washington. Buses left Queens at 1:00 a.m., Yonkers at 4:00 a.m., and Brooklyn at 5:30 a.m. All of these charters were sponsored by the NAACP In addition, other chartered buses were leaving from all over the city, most from the 143rd Street Armory, where an incredible 450 buses had assembled. The Lincoln Tunnel had a middle of the night traffic jam when the buses started rolling at 1:30 a.m

Buses left from all over the Philadelphia area at 7 a.m. They then rendezvoused outside the city on U.S. Route 40. Chartered trains had left Philadelphia's 30th Street Station by 6:15 a.m. A number of busloads of marchers left Rodney Square in downtown Wilmington at 7:00 a.m. on the morning of the March

By dawn, State Police in Pikesville, Maryland reported traffic very heavy on U.S. 40, the Pulaski Highway, between the Delaware state line and Baltimore, and even heavier on the Baltimore-Washington Parkway: "Almost a continuous line of buses on the expressway," police said. "By 8:00 a.m., 100 buses an hour were streaming through the Baltimore Harbor Tunnel. [*March*, p. 184-186]

For those coming from the New York area and locations further north, planners needed to know how many buses would be on the road for the 6-hour trip. At the Howard Johnson's at Cranbury, New Jersey, the only charter bus stop on the New Jersey Turnpike, preparations had been underway for a week. Parking had been expanded, additional drinking fountains and comfort units had been installed, and temporary workers taken on. Visitors had been warned to bring box lunches, but *The New York Times* reported that the Howard Johnson's was ready for a big increase in customers:

Refreshments on hand include 6,000 half-pint containers of soft drinks, 2,400 half-pints of milk, 2,400 ham sandwiches, 12,000 frankfurters and 5,400 chicken halves.

Officials were worried about the perennial bottleneck in Baltimore where U.S. 40, one of the main routes through the city, followed city streets to the Baltimore Harbor Tunnel, which had been opened in November 1957 under the Patapsco River:

A potential bottleneck is the Baltimore Harbor Tunnel. It has seven toll gates and six southbound entrances, but only two entrances lead in from Route 40, which is expected to be the main road used by the civil rights groups going to the capital. [Arnold, Martin, "Road Facilities to Aid Caravans," *The New York Times*, August 28, 1963]

One reporter, Fred Powledge, accompanied African-Americans who boarded six buses in Birmingham for the 750-mile trip to Washington:

The 260 demonstrators, of all ages, carried picnic baskets, water jugs, Bibles and a major weapon – their willingness to march, sing and pray in protest against discrimination. They gathered early this morning [August 27] in Birmingham’s Kelly Ingram Park, where state troopers once used fire hoses and dogs to put down their demonstrations. It was peaceful in the Birmingham park as the marchers waited for the buses. The police, now part of a moderate city power structure, directed traffic around the square and did not interfere with the gathering

An old man commented on the 20-hour ride, which was bound to be less than comfortable: “You forget we Negroes have been riding buses all our lives. We don’t have the money to fly in airplanes.”

Many had never been out of Alabama and were looking forward to seeing Washington. An 81-year old Birmingham resident said he was looking forward to seeing the White House as much as the march. A 20-year old upholsterer told Powledge, “I guess you could call me a combination freedom rider and tourist on this trip.” One middle-aged woman had been given the day off as a white woman’s maid. “She said have a good time,” the woman told Powledge.

The reporter added of the trip:

The driver of the lead bus was white. He paid strict attention to his duties. On the road to Knoxville, he was stopped by a highway patrolman for speeding 75 miles an hour. But the officer let him off. [Powledge, Fred, “Alabamians Gay on Bus Journey,” *The New York Times*, August 28, 1963]

Coverage of the trip continued in a second article:

The demonstrators from Alabama sang freedom songs on their long trip from Birmingham, but for the most part they talked. There were hours of recollections about last spring’s civil rights demonstrations in Birmingham.

One of the six busloads of Alabamians moaned almost en masse when a white policeman stopped the bus to give instructions on the outskirts of Washington.

But when the bus approached the march area and a smartly uniformed Negro military policeman gave further directions, there was a different reaction. “Now that’s what I call good police work,” said one of the marchers.

As the delegation from Alabama pulled into Washington, some passengers expressed regret that they had no banners flying from their buses. Many of the other buses had banners and signs.

“They ought to know who we are,” said one man from Birmingham. “After all, we’re the ones who started the whole freedom movement.”

“Yeah,” replied a fellow passenger, “but can you see us getting through Alabama with signs all over these buses? We’ll let ‘em know who we are once we get to the Washington Monument.” [“Marchers Sing and Voice Hope on Way to Washington Rally,” *The New York Times*, August 29, 1963, no byline]

One of the riders, Hazel Mangle Rivers, had paid \$8 for her ticket, “one-tenth of her husband’s weekly salary.” She had always believed in civil rights, but “one day she realized that the national movement concerned her as an individual.” Since then, she had participated in mass meetings, picketing, and boycotts. She had been arrested twice.

Mrs. Rivers “was determined to march on Washington,” but she was impressed by Washington’s civility:

“The people are lots better up here than they are down South,” Mrs. Rivers said. “They treat you much nicer. Why, when I was out there at the march a white man stepped on my foot, and he said, “Excuse me,” and I said “Certainly!”

“That’s the first time that has ever happened to me. I believe that was the first time a white person has ever really been nice to me.” [“Marcher From Alabama,” *The New York Times*, August 29, 1963]

Some incidents occurred as participants closed in on Washington. Washington’s *Evening Star* newspaper reported:

In Jessup, Md., a motorist allegedly drove his car into a group of 12 marchers hiking toward Washington along U.S. 1 and was arrested by Howard County police, but the marchers continued on into the city. [The driver was charged with assault and disorderly conduct.]

At least six chartered Greyhound buses loaded with marchers were delayed in Hagerstown, Md., because there were not enough relief drivers to complete the trip from points West. Four relief drivers were rounded up at the change point to bring some marchers on to Washington, but two other busloads were temporarily stranded.

Washington’s bus traffic was heavy as the marchers swarmed into the city. Trailways handled 40 buses carrying more than 1,500 marchers, arriving at intervals during the morning, from New York City. The buses went directly to the vast section of Northwest Washington set aside for bus parking, and discharged their passengers near the march area, to wait for them until evening.

Greyhound also was routing buses directly to the bus parking area in Foggy Bottom. Those buses included: 10 from Boston, 15 from Cleveland, 6 from Memphis, 18 from Winston-Salem, 20 from New York, and an unknown number from Norfolk More than 100 buses came from points throughout Maryland with an estimated 6,000 Free Staters, mainly from Baltimore, Annapolis and Cambridge.

One of the buses was stoned by three young people on the Baltimore-Washington Parkway near the Bladensburg turnoff. The stones broke one window but did not cause any injuries. The U.S. Park Police, who have jurisdiction on the parkway, had arrested the youths, who lived in Bladensburg. The police “said they had no reason to believe the busload of civil rights advocates was singled out for stoning since all types and sizes of buses regularly are used as targets for youngsters.”

Many people drove their cars into the city:

Out-of-town cars were numerous beyond count, despite police pleas that marchers not bring their own automobiles to Washington. Many out-of-town cars bore distinctive banners. Their license plates indicated most of them were from Maryland and Virginia, nearby Southern States and States from Pennsylvania to New England.

To clear the way for the marchers, police had banned parking in the downtown and Monument-Memorial area. Still, they had to tow 75 cars out of the march area to impoundment lots.

Once in Washington, marchers had to get to the Washington Monument grounds. They were expected to walk, not march:

One group of marchers, about 75 strong—from Wisconsin—which debarked from their bus at the Mount George Baptist Church, 514 Fourth street S.E., were cautioned while walking to the Monument grounds via Constitution avenue past the Capitol not to raise their placards. Two marchers were carrying signs above their heads and complied immediately with the request of Capitol police.

Many government workers had taken the day off, while many tourists who would normally be sightseeing stayed out of the city. Traffic moved into the city more freely than expected on this Wednesday, with only short-lived congestion occurring on three arteries into the city:

Traffic along Pennsylvania avenue . . . was about what could be expected in the middle of any Sunday morning when the first tourists cruise up and down sightseeing.

At Fifteenth and K streets, usually a welter of vehicles bumper-to-bumper [during a weekday], a lone military policeman directed what traffic there was. [City

transit buses] cruised along K street with six or seven passengers, instead of the usual standing room only crowds.

At the Capitol, policemen were stationed about 100 feet apart, but the grounds seemed deserted. There were many vacancies among the parking places reserved for Congressional employees. Missing also from the area were the long lines of tourist buses that bring thousands of sightseers on normal mornings.

The WMAL [radio] police helicopter reported that Shirley Highway [I-395 in Virginia leading into the District] at 8:45 a.m. had never been so free of traffic at that time during a weekday.

At one point in the morning “rush” period, only seven cars were moving along the Whitehurst Freeway east of Key Bridge [in Georgetown]. Normally traffic along this stretch would be moving at a snail’s pace.

Although commuter buses were able to keep to their schedules downtown for the most part, some had to take alternate routes because officials had closed Arlington Memorial Bridge, which deposits traffic from Virginia into the District behind the Lincoln Memorial, and main arteries in the immediate area north and south of the march site, including Constitution Avenue. [“Throng Gets Quick Start” and “3 Youths Stone Marchers’ Bus,” *The Evening Star*, August 28, 1963]

Writing in *The New York Times*, Joseph A. Loftus agreed that, “Traffic control was close to flawless.” What little congestion occurred on the main arteries into the city had been short-lived:

Some came by dawn’s early light.

The freedom march was a thin line then. Nor was it long. Viewed from a helicopter, the grounds around the Washington Monument and the Lincoln Memorial were a lush green, dotted by a few early arrivals. Traffic was light on all arteries and moved swiftly.

Slowly the tempo rose. By 10, the inpouring was tremendous. This went on for two hours. The great crush of humanity on the monument grounds spilled over into Connecticut Avenue and edged westward like a great lava flow. Connecticut Avenue, an artery for Maryland commuters, is ordinarily four lanes of screeching brakes in the rush hour. Today there was plenty of bumper room, although traffic had not quite thinned down to the density of a Sunday morning . . .

Traffic control was close to flawless. Some congestion occurred on three arteries leading into the city, but it was short-lived . . .

The Washington-Baltimore parkway, a high-density artery any business day, showed thin, swift movements at 7:30 Beginning about 10, the parkway from Baltimore and points north began to choke up a bit. But by 11:15 or earlier, traffic flowed swiftly straight for the monument grounds. There were almost as many buses as private cars in the southbound lanes. On they came in singles and sixes, and once a cluster of eight.

District police had tried to estimate the number of buses the city would have to accommodate:

Every police chief in the land had been queried on the teletype network. Captain [Thomas I.] Herlihy had checked with Greyhound and Trailways and with the Interstate Commerce Commission. The estimate was 800 to 900. Instead, more than 1,500 buses came.

“The police estimated that more than 175,000 persons had jammed into the few acres east of the memorial and that 25,000 were scattered.” The city had accommodated larger crowds, including 750,000 for President Eisenhower’s inaugural events, “but most of them were spectators. Today, nearly all were participants.” Loftus added, “Besides, they rolled in and out within a few hours.” He continued:

They were parked in reserved spaces long [sic] the Mall and around the Ellipse south of the White House. The monument grounds were not far off, except for those who had spent the night on the road. [Loftus, Joseph A., “Delays are few and Short-Lived,” *The New York Times*, August 29, 1963]

The crowd included many celebrities. Branch wrote:

[M]ovement veterans absorbed revelatory homage from palpable symbols of white prestige – the television cameras, movie stars, and dearest edifices of American democracy. A chorus of news cameras clicked as James Garner pushed through the crowd hand in hand with Negro actress Diahann Carroll; they were among dozens who had arrived on the Hollywood “celebrity plane” organized by Harry Belafonte and Clarence Jones. Even those who had attended a hundred mass meetings never had witnessed anything like Marlon Brando on the giant stage, holding up for the world an actual cattle prod from Gadsden as an indictment of segregationist hatred.

The day’s events began at 10 a.m. with the folksinger Joan Baez performing the spiritual “Oh Freedom.” She was followed by Odetta, who sang “I’m On My Way.” The group Peter, Paul, and Mary performed their hit version of Bob Dylan’s “Blowin’ in the Wind,” with Dylan appearing next to perform his new song, “Only a Pawn in Their Game,” about the murder of Medgar Evers. (Evers had been murdered on June 12, 1963, just after pulling into his driveway following a meeting with NAACP lawyers. Stepping out of his car carrying NAACP t-shirts that read JIM CROW MUST GO, he was shot by Byron De La Beckwith, a fertilizer salesman and member of the White Citizens’ Council and Klan.

Two all-white juries deadlocked on De La Beckwith's guilt in 1964, but he was finally convicted for his crime in 1994.)

Although organizers had wanted to stage a short march from the Washington Monument grounds to the Lincoln Memorial, participants began streaming to the rally site long before planned.

The formal rally began at 1:15 p.m. with the singing of the National Anthem. Gentile summarized the early stages:

[After the invocation] and continually interspersed throughout the afternoon, protest leaders and celebrities were introduced to the appreciative crowd. Some gave short unscheduled speeches, like Birmingham's Fred Shuttlesworth, who spoke first, King's associate, the reverend Ralph David Abernathy, comedian Dick Gregory, and [ex-patriot singer] Josephine Baker. Charlton Heston read the statement prepared by James Baldwin regarding the support of the artistic and entertainment community. Burt Lancaster unfurled a scroll he and Baldwin had brought from Paris signed by 1500 overseas Americans in support of the march. [*March*, p. 222]

Randolph, the chairman of the march, was the first scheduled speaker. He called the marchers "the advance guard of a massive moral revolution for jobs and freedom." A Tribute to Women followed, with Randolph introducing several prominent women, including Diane Nash (now Diane Nash Bevel) and Rosa Parks. After Randolph cited Medger Evers' widow, who was not in attendance, Dylan again sang his new song. Odetta, Baez, and Peter, Paul, and Mary performed again.

John Lewis, the Freedom Rider, had written a fiery speech that took aim at the Kennedy Administration's proposed Civil Rights Act. President Kennedy had introduced the bill in a television and radio speech on June 11. He had said:

It ought to be possible for American consumers of any color to receive equal service in places of public accommodation, such as hotels and restaurants and theaters and retail stores, without being forced to resort to demonstrations in the street, and it ought to be possible for American citizens of any color to register and to vote in a free election without interference or fear of reprisal

Now the time has come for this Nation to fulfill its promise. The events in Birmingham and elsewhere have so increased the cries for equality that no city or State or legislative body can prudently choose to ignore them.

The fires of frustration and discord are burning in every city, North and South, where legal remedies are not at hand. Redress is sought in the streets, in demonstrations, parades, and protests which create tensions and threaten violence and threaten lives.

We face, therefore, a moral crisis as a country and as a people. It cannot be met by repressive police action. It cannot be left to increased demonstrations in the streets. It cannot be quieted by token moves or talk. It is a time to act in the Congress, in your State and local legislative body and, above all, in all of our daily lives.

Individuals could do much, but they needed help at the Federal level:

I am, therefore, asking the Congress to enact legislation giving all Americans the right to be served in facilities which are open to the public—hotels, restaurants, theaters, retail stores, and similar establishments.

This seems to me to be an elementary right. Its denial is an arbitrary indignity that no American in 1963 should have to endure, but many do

He would, he said, ask Congress to authorize the Federal Government “to participate more fully in lawsuits” to end segregation in public education as required under the Supreme Court’s *Brown vs. the Board of Education* decision in 1954:

The orderly implementation of the Supreme Court decision, therefore, cannot be left solely to those who may not have the economic resources to carry the legal action or who may be subject to harassment.

The proposal also would call for voting rights for all Americans.

Lewis had toned down his remarks at the request of march organizers after much backstage debate. As delivered, Lewis’ speech began:

We march today for jobs and freedom, but we have nothing to be proud of, for hundreds and thousands of our brothers are not here. They have no money for their transportation, for they are receiving starvation wages, or no wages at all. In good conscience, we cannot support wholeheartedly the administration’s civil rights bill. There’s not one thing in the bill that will protect our people from police brutality.

“The revolution is at hand,” he said, “and we must free ourselves of the chains of political and economic slavery.” He rejected party affiliation:

The nation is still a place of political leaders who build their careers on immoral compromises, and ally themselves with open forms of political, economic and social exploitation. What political leader here can stand up and say, “My party is the party of principles?” The party of Kennedy is also the party of Eastland. The party of [New York Republican Senator Jacob] Javits is also the party of Goldwater. Where is *our* party?

For change to happen, “the people, the masses, must bring them about”:

Mr. Kennedy is trying to take the revolution out of the streets and put it into the courts. Listen, Mr. Kennedy. Listen, Mr. Congressman. Listen, fellow citizens. The black masses are on the march for jobs and freedom, and we must say to the politicians that there won't be a “cooling-off” period.

We will not stop. If we do not get meaningful legislation out of this Congress, the time will come when we will not confine our marching to Washington. We will march through the South, through the streets of Jackson, through the streets of Danville, through the streets of Cambridge, through the streets of Birmingham. But we will march with the spirit of love and with the spirit of dignity that we have shown here today

We must say, “Wake up, America. Wake up! For we cannot stop, and we will not be patient.”

James Farmer was to address the marchers, but he was in a Louisiana jail. His statement was read, assuring marchers that he had wanted to be with them, but could not bail his way out of jail while leaving behind 232 others “for their crime was the same as mine, demanding freedom now.” He promised to continue the struggle:

We will not slow down, we will not stop our militant, peaceful demonstrations. We will not come off the streets until we can work at any job befitting our skills any place in the land . . . until our kids have enough to eat and their minds can study and range wide without being cramped in Jim Crow schools.

Until we can live wherever we choose and can eat and play with no closed doors blocking our way. We will not stop till the dogs stop biting us in the South and the rats stop biting us in the North.

As the speeches continued through the afternoon, the tightly packed crowd became restless in the sweltering heat, “many waiting almost for the speeches to end,” as Gentile put it:

Many sought the shade of the huge trees lining the Reflecting Pool, but the trees could not cover all of the crowd. Some took dips in the shallow, murky Reflecting Pool. Everyone fanned himself or herself. [*March*, p. 234-235]

A speech by Whitney Young, Jr., Executive Director of the Urban League “had little visible impact” on the crowd, which did not interrupt it with applause.

He was followed by Matthew Ahmann, the white Executive Director of the National Catholic Conference for Interracial Justice. According to Gentile, his words struck the crowd as “essentially empty,” lacking “a militant call for action, the sense of urgency, the sense of ‘Now’ so vital to blacks in the summer of 1963.”

Roy Wilkins of the NAACP followed with a speech that questioned the value of the President's bill:

The President's proposals represent so moderate an approach that if it is weakened, the remainder will be little more than sugarwater.

He also questioned the government's role in protecting those fighting for their civil rights:

It is simply incomprehensible . . . that the United States Government, which can regulate the contents of a pill, apparently is powerless to prevent the physical abuse of citizens within its own borders.

Following Wilkins, gospel singer Mahalia Jackson "brought the then listless crowd to life" by singing "I've Been 'Buked and I've Been Scorned." [*March*, p. 237-239]

Only two speakers remained on the program. The first, Rabbi Joachim Prinz, president of the American Jewish Congress, compared Germany in the 1930s to the present, calling on citizens not to become "a nation of silent onlookers." His remarks lacked urgency for the hot, tired crowd.

Dr. King was the final speaker, beginning at about 3:40 after a long, enthusiastic greeting from the crowd. He had worked hard on his speech for several days, and march organizers knew it would probably exceed the 7 minutes allotted to all speakers, but they also knew they would not interrupt him.

He began by referring to President Lincoln, "a great American in whose symbolic shadow we stand today" and his signing of the Emancipation Proclamation:

This momentous decree came as a great beacon light of hope to millions of Negro slaves who had been seared in the flames of withering injustice. It came as a joyous daybreak to end the long night of their captivity.

The marchers, he said, "have come to our nation's capitol to cash a check." He explained:

When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir Instead of honoring this sacred obligation, America has given the Negro people a bad check: a check which has come back marked "insufficient funds." But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity in this nation. So we have come to cash this check – a check that will give us upon demand the riches of freedom and the security of justice.

Dr. King drew shouts from the crowd as he emphasized “the fierce urgency of now” in contrast to “the luxury of cooling off” and “the tranquilizing drug of gradualism.” He said:

Now is the time to make real the promises of democracy; now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice; now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood; now is the time to make justice a reality for all of God’s children. It would be fatal for the nation to overlook the urgency of the moment. This sweltering summer of the Negro’s legitimate discontent will not pass until there is an invigorating autumn of freedom and quality.

This was not a time to return to business as usual:

The whirlwinds of revolt will continue to shake the foundations of our Nation until the bright day of justice emerges.

Don’t yield to bitterness, he said. He urged people to “conduct our struggle on the high plane of dignity and discipline” and “not allow our creative protest to degenerate into physical violence” or “a distrust of all white people.”

He answered those in Congress and newspaper opinion columns who wanted to know when the Negro would be satisfied:

We can never be satisfied as long as the Negro is the victim of the unspeakable horrors of police brutality.

We can never be satisfied as long as our bodies, heavy with the fatigue of travel, cannot gain lodging in the motels of the highways and the hotels of the cities. We cannot be satisfied as long as the Negro’s basic mobility is from a smaller ghetto to a larger one.

We can never be satisfied as long as our children are stripped of their selfhood and robbed of their dignity by signs reading “for whites only.” We cannot be satisfied as long as a Negro in Mississippi cannot vote and a Negro in New York believes he has nothing for which to vote. No, now we are not satisfied, and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream.

The text Dr. King had worked on began toward a conclusion by urging the marchers to go home “as members of the international association for the advancement of creative dissatisfaction,” but he abandoned the pretentious line, and began to improvise:

Go back to Mississippi; go back to Alabama; go back to South Carolina; go back to Georgia; go back to Louisiana; go back to the slums and ghettos of our

northern cities, knowing that somehow this situation can, and will be changed. Let us not wallow in the valley of despair.

Branch explained what happened next:

Knowing that he had wandered completely off his text, some of those behind him on the platform urged him on, and Mahalia Jackson piped up as though in church, “Tell ‘em about the dream, Martin.” Whether her words reached him is not known. Later, King said only that he forgot the rest of the speech and took up the first run of oratory that “came to me.” After the word “despair,” he temporized for an instant: “I say to you today, my friends, and so even though we face the difficulties of today and tomorrow, I still have a dream. It is a dream deeply rooted in the American dream . . .” [*Parting the Waters*, p. 882]

What followed, though not part of the prepared text, would give the speech its name: the “I Have a Dream” speech. The dream he said, was that the Nation would live out the true meaning of the phrase that “all men are created equal,” that the sons of slaves and the sons of former slaveowners “will be able to sit down together at the table of brotherhood,” and that even the State of Mississippi, a “desert state sweltering in the heat of injustice and oppression, will be transformed into an oasis of freedom and justice.”

He dreamed that his four children would one day be judged not by the color of their skin but by their character and that the State of Alabama would see black boys and girls join hands with white boys and girls “and walk together as sisters and brothers.”

He transitioned to the conclusion by calling for America to “let freedom ring” from all parts of the Nation:

When we let freedom ring, when we let it ring from every village and every hamlet, from every state and every city, we will be able to speed up that day when all God’s children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of that old Negro spiritual, “Free at Last! Free at Last! Thank God almighty, we are free at last!” [Washington, James Melvin, editor, *A Testament of Hope: The Essential Writings and Speeches of Martin Luther King, Jr.*, Harper One, 1991, p. 217-220]

Gentile summarized the crowd’s reaction to the 19-minute speech:

To many of the rank and file marchers, Dr. King’s speech, while the best of the lot, was not then the moving experience that it became later on in hindsight. Indeed, there was almost a collective sigh of relief that respite from the heat, standing, and crowd was forthcoming. But others remembered it as the most moving moment of their lives. [*March*, p. 249]

Mrs. Icelle Coleman, a Manhattan garment worker, told a reporter for *The New York Times* that the program had been excellent from start to finish but that Dr. King “stole the

show.” She added, “He said so much, it was just uplifting.” Mrs. Doris Offley, a Manhattan nurse, agreed, adding, “Dr. King talked about racial harmony, and there it was for all to see.” [Jones, Theodore, “Tired New Yorkers Head Home Full of Praise for Capital Rally,” *The New York Times*, August 29, 1963]

As Dr. King turned from the podium, Randolph introduced Bayard Rustin, who read the demands of the march. “This is why we are here,” Randolph said, so that when march leaders went to Congress, they could say the crowd approved the demands. After reading each demand, Rustin asked the crowd, “What do you say?” and the crowd cheered in support.

Finally, at 4:15, Benjamin E. Mays, President of Morehouse College, gave the benediction, which concluded:

Guide, keep, sustain, and bless the United States and help the weary travelers to overcome someday soon.

After a mass singing of “We Shall Overcome,” the crowd dispersed. The march ended at 4:20 p.m. [*March*, p. 241-251]

District employees had been sent home at 3:15 and, at the request of police, Federal employees were dismissed at 3:30. The result was a smooth departure for the marchers, as Loftus described in *The New York Times*:

By 2:30, hundreds of participants were leaving the scene of the ceremonies, long before they had ended. Shuttle buses carried them to the railroad station. Some of those who left early reported they could not get close enough to see the speakers and performers. They were tired and wanted a place to sit down.

Later in the afternoon as trains got away on schedule, the police reported that the station crowd was orderly and “in a jovial mood.”

By 6:10 P.M., 50 per cent of the special buses had left the city. [“Delays are Few and Short-Lived,” August 29, 1963]

Gentile summarized the departures:

Indeed traffic was so light in Washington that day that a Star reporter called it “a harried motorist’s dream of heaven”. By 7:00 p.m. nearly all of the buses and trains, and most of the private vehicles had left town. By dusk the city seemed strangely deserted. The visitors had mostly left, and the inhabitants were either out of town, or still afraid to come out of doors. At 9:00 p.m. the police considered things back to normal and extra police and national guardsmen were released from duty. [*March*, p. 252]

Not all of the departures went smoothly. The *Times* reported that three buses bound for Connecticut were pelted with stones near the entrance to the Baltimore Harbor Tunnel. One of the stones crashed through the windshield of one of the buses, but no one was injured. [Associated Press, “3 Rights Buses are Stoned,” *The New York Times*, August 29, 1963]

On November 20, the Civil Rights Act cleared the House Judiciary Committee in a much stronger form than proposed by the Administration. The bill was referred to the Rules Committee, which decides on release of bills for consideration by the full House. Chairman Howard W. Smith, a segregationist Democrat from Virginia, promised that the bill would never emerge from his committee.

Following the assassination of President Kennedy on November 22, Vice President Lyndon Johnson, a former Senate Majority Leader who was a master of Senate procedure, became President. Faced with pressure from the new President, surprising constituent support around the country for the measure as a result of the march, and a realization that the House would take the unusual step of bypassing the Rules Committee if it did not clear the bill, Smith let the bill out of committee.

During floor debate, Congressman Smith introduced an amendment on February 8 to add the word “sex” to the bill. “Now I am very serious about this amendment,” he said. To his laughing colleagues, he explained that he had received a letter from a woman in Nebraska who wanted Congress to equalize the sexual ratio in the population by helping the “surplus of spinsters” obtain their “right” to happiness. (Smith’s motivation remains unclear, but women’s groups had urged him to introduce the amendment in hopes that his support would assure support from other southern Members of Congress who opposed the Civil Rights Act.)

At first, Congressmen took the amendment as a way to lighten the mood. Chairman Emanuel Celler (D-NY) of the Judiciary Committee said the amendment was unnecessary because he and his wife had a “delightful accord” for 50 years. “I usually have the last two words, and those words are ‘Yes, dear.’”

As the leaders continued joking, female Representatives became incensed. “If anyone doubted that women were second class citizens,” Congresswoman Martha Griffiths (D-Mi.) said, “the laughter would have proved it.” Congresswoman Katherine St. George (R-NY) added:

We do not need special privilege. We outlast you. We outlive you. We nag you to death. So why should we want special privileges? I believe that we can hold our own. We are entitled to this little crumb of equality. The addition of that little, terrifying word, “s-e-x,” will not hurt this legislation in any way.

Soon, southern opponents of the legislation rallied in support of the amendment. “Unless this amendment is adopted,” said Congressman George Andrews (D-Ga.), “the white

woman of this country would be drastically discriminated against in favor of a Negro woman!”

For tactical reasons, the Johnson Administration hoped the amendment would not pass. The hope was that the House and Senate would approve the same bill, thereby avoiding a Conference Committee that would be chaired by Southerners who opposed the bill. While the strategy may have been sound, the flow of debate led to support for adding women to the legislation. The House approved Smith’s amendment by a vote of 168 to 133.

As one Member of Congress put it, “Smith outsmarted himself. At this point, there was no way you could sink the bill.” With women now having a vested interest in the outcome, the bill passed the House by a vote of 290 to 130 on February 10. Its 10 titles outlawed segregation in schools, public accommodations, and Federal programs, as well as racial and gender discrimination in employment. [*Pillar*, p. 231-234]

Normally, the House bill would go to the Senate Judiciary Committee, which was headed by Senator Eastland of Mississippi. Knowing that Eastland would never report a Civil Rights Act out, Senate Majority Leader Mike Mansfield of Massachusetts used parliamentary procedures to bypass the committee and bring the House bill directly to the Senate floor for debate. When the bill reached the floor on March 30, 1964, Senator Richard Russell, Jr. (D-Ga.) launched a filibuster. “We will resist to the bitter end any measure or any movement which would have a tendency to bring about social equality and intermingling and amalgamation of the races in our (Southern) states.” The Senate would transact no other business until the filibuster ended.

After 54 days, Senate leaders introduced a weaker version of the bill, still including the provision on women, but the filibuster continued. Finally, after 10 million words, the longest filibuster in Senate history came to an end on the 57th day. On June 9, Senator Robert C. Byrd (D-WV) began an address that included a complete reading of the Magna Carta and many biblical citations. He finished the speech the following day after 14 hours. Senator Hubert H. Humphrey (D-Mn.), the Democratic Whip and bill manager, concluded that he had the 67 votes needed at the time to end the filibuster. By a vote of 71 to 29, the Senate approved Humphrey’s measure, cutting off a civil rights filibuster for the first time. (The Senate would change the rules in 1975 to reduce the number of votes needed to end a filibuster to 60, as at present.)

The Senate approved its weakened bill on June 19 by a vote of 73 to 27 – six Republicans, including Presidential candidate Barry Goldwater of Arizona, and 21 Democrats voted against the bill. On July 2, the House passed the Senate version.

President Johnson did not want to wait for a symbolic signing on July 4. At 6:45 p.m. of July 2, 1964, he addressed a television and radio audience before signing the bill. In the East Room, the audience included Attorney General Kennedy, Lady Bird Johnson, Dr. King, AFL-CIO president George Meany, FBI director J. Edgar Hoover, as well as Rosa Parks and James Forman of SNCC.

The President called the bill a “proud triumph” in the “unending search for justice within our own borders.” He said the purpose of the new legislation “is simple.” He described it:

- It does not restrict the freedom of any American, so long as he respects the rights of others.
- It does not give special treatment to any citizen.
- It does say the only limit to a man's hope for happiness, and for the future of his children, shall be his own ability.
- It does say that there are those who are equal before God [sic] shall now also be equal in the polling booths, in the classrooms, in the factories, and in hotels, restaurants, movie theaters, and other places that provide service to the public.
- He cautioned against implementing the law “in a vengeful spirit.”
- Its purpose is not to punish. Its purpose is not to divide, but to end divisions—divisions which have all lasted too long. Its purpose is national, not regional.
- Its purpose is to promote a more abiding commitment to freedom, a more constant pursuit of justice, and a deeper respect for human dignity.

He was confident about achieving these goals “because most Americans are law-abiding citizens who want to do what is right.” He pointed out that the legislation “relies first on voluntary compliance, then on the efforts of local communities and States to secure the rights of citizens.” The national authority would step in “only when others cannot or will not do the job.” He ended by urging every American “to join in this effort to bring justice and hope to all our people—and to bring peace to our land.” It would be “a time of testing,” he said. “We must not fail.”

Before using 72 ceremonial pens to sign the bill, he concluded:

Let us close the springs of racial poison. Let us pray for wise and understanding hearts. Let us lay aside irrelevant differences and make our Nation whole. Let us hasten that day when our unmeasured strength and our unbounded spirit will be free to do the great works ordained for this Nation by the just and wise God who is the Father of us all. [*Pillar*, p. 387-388]

The landmark bill provided the foundation for much of the civil rights progress to come for African-Americans and women. Even in the South, compliance with the new law was widespread if not universal. Branch summarized the reaction:

Most Southern politicians urged at least a grudging compliance. “As long as it is there, it must be obeyed,” declared Senator Richard Russell of Georgia, and Senator Allen Ellender of Louisiana announced that “the law enacted by Congress must be respected.” Over the next several months, visible public separations broke down across the South in countless pioneer dramas—often mutually and meticulously prearranged to control discomforts on all sides. [*Pillar*, p. 388]

Title 1 of the Act required that voting rules and qualifications be applied to all races equally, but it left the South to continue imposing qualifications for voting that had proven nearly impossible for many African-Americans to meet. That would be the next legislative hurdle, and a road in Alabama would help achieve the goal.

The Voting Rights March

In 1965, U.S. 80 was a transcontinental highway from Savannah Beach, Georgia, to San Diego, California, a distance of about 2,570 miles. The State of Alabama had officially named its part of U.S. 80 the Jefferson Davis Memorial Highway, a name that dated to the 1910s. Not long after auto industry executives announced plans in 1913 for a northern transcontinental route called the Lincoln Highway, the United Daughters of the Confederacy (U.D.C.) adopted the idea of a comparable southern route named after the president of the Confederate States of America. The U.D.C. selected a route from Washington, D.C., to San Diego, and arranged for the States it passed through to adopt the name.

When the U.S. numbered highway system was adopted in 1926 to supplant the names applied by private organizations to interstate routes, the Jefferson Davis Memorial Highway was split among U.S. 1, U.S. 15, U.S. 29, U.S. 80, U.S. 90, and others.

(Eventually the U.D.C. extended the highway along the Pacific Coast via U.S. 99 to Washington State based on the fact that Davis, as U.S. Secretary of War before the Civil War, had obtained appropriations and directed surveys for wagon roads and railroads to the North Pacific Coast. In November 1966, at the request of Arizona and California, the western terminus of U.S. 80 shifted to Yuma, Arizona.)

When the writers of the Depression-era American Guide Series drove between Montgomery and Selma in Alabama on U.S. 80 in the late 1930s, they found that the route traversed ". . . a gently rolling, open country similar to the Mid-Western prairies." The writers added:

The pattern of life, with its stratified society, still rests on the twin pillars of a Negro's strong shoulders and a bale of cotton For many years the densest Negro population in the State was found in this section. But tractor farming and cattle raising have removed half of the Negroes from the plantations where, as tenants and sharecroppers, they grew corn and cotton on the same acres that their ancestors tilled as slaves. [*Alabama: A Guide to the Deep South*, American Guide Series, Richard R. Smith, 1941, p. 287]

About 30 years later, in 1965, that same stretch of U.S. 80/Jefferson Davis Memorial Highway in Alabama played a role in one of the most important events in the Civil Rights movement.

Selma had been a white bastion resisting the civil rights advances taking place elsewhere. Branch explained:

After the *Brown* decision of 1954, a number of prominent Negroes, including professors at Selma University, had followed NAACP instructions to petition for their children to attend the white schools—only to be crushed by retaliation against school budgets, bank loans, and other middle-class vulnerabilities until every name was withdrawn from the petition and the local NAACP disbanded. [Leading] Negroes were fearful, protective, and escapist—more likely to take private flying lessons than visit the courthouse. [*Pillar*, p. 64]

The attitude extended to voting:

Less than two hundred of fifteen thousand voting-age Negroes were registered in Selma's Dallas County, and only seventy-five even tried to register during the entire decade since 1952—all rejected, including twenty-eight college graduates. On the wall of their Selma insurance office, [voting rights activists] Sam and Amelia Boynton posted the names of all seventy-five rejected applicants as an honor roll of the brave. [*Pillar*, p. 63]

Into this unpromising atmosphere came Bernard Lafayette, a member of the Nashville Movement, a Freedom Rider, a SNCC founder, who was nicknamed "Little Gandhi" because of his slight stature, scholarly inclinations, and devotion to nonviolent protest. In his early 20s, Lafayette worked closely with Diane Nash and her husband James Bevel.

In the fall of 1962, he moved to Selma as part of the movement's fight to remove barriers to voting. The Justice Department had filed its first voting suit in April 1961 in Selma, with the Boyntons' list of rejected applicants as a starting point. The suit gave Lafayette an opening to work with the Boyntons and other local voting rights advocates. His initial efforts were stymied by resistance from African-Americans who preferred not to antagonize the city's white power structure.

In 1963, he drove to Birmingham most days to help Diane and James Bevel plan the teenage marches that would end the city's protection of its Jim Crow heritage in May. Branch explained:

The thunderous breakthrough in Birmingham made him uncomfortable away from his new post some hundred miles to the south, and Lafayette returned to Selma most evenings that week to sit in vigil at tiny, segregated Berwell Infirmary, where a last debilitating stroke did not keep Sam Boynton from proselytizing whenever conscious. "Are you a registered voter?" he called out to strangers walking down his corridor. "I want you to go down and register. A voteless people is a hopeless people." [*Pillar*, p. 81-82]

Following Boynton's death in May 1963, Lafayette wanted to hold a memorial service, but had a hard time finding a church willing to sponsor the event that church leaders

knew would really be a voting rights rally. The service finally took place at Tabernacle Baptist Church on May 14, with over 350 people in attendance. Dallas County Sheriff Jim Clark and his deputies, strict enforcers of Jim Crow laws, also attended, armed with guns and a court order that they claimed allowed them into the church to guard against insurrection.

SNCC's James Forman was the featured speaker during the 3-hour service, addressing the crowd on "The High Cost of Freedom." Branch summarized his speech:

Forman said it was good that the white officers were there to deprive [attendees] of cheap courage. If they wanted to shout amen to the mission of Sam Boynton, they should do so in front of the sheriff who stood in its way. "Someday they will have to open up that ballot box," said Forman. A crescendo of enthusiasm made a number of elders cringe for the reaction of Sheriff Clark.

After the service, the crowd leaving the church found an angry white mob, including many "teenagers wielding freshly lathed table legs from a nearby furniture company." Sheriff Clark and his deputies, to the surprise of those leaving the church, tried to disperse the crowd, but without success:

As Negroes huddled in panic, fearing arrest if they stayed and attack if they moved, decisive peacemaking authority arrived in the person of the football coach from Selma High School, who jumped from his car and pointed out his current and former players, telling them to go home. [*Pillar*, p 84]

The drive for voting rights was underway.

On December 10, 1964, Dr. King was in Oslo, Norway, to accept the Nobel Peace Prize. He began his remarks by saying:

I accept the Nobel Prize for Peace at a moment when 22 million Negroes of the United States of America are engaged in a creative battle to end the long night of racial injustice. I accept this award on behalf of a civil rights movement which is moving with determination and a majestic scorn for risk and danger to establish a reign of freedom and a rule of justice.

He used road imagery to make his point:

The tortuous road which has led from Montgomery, Alabama to Oslo bears witness to this truth. This is a road over which millions of Negroes are travelling to find a new sense of dignity. This same road has opened for all Americans a new era of progress and hope. It has led to a new Civil Rights Bill, and it will, I am convinced, be widened and lengthened into a super highway of justice as Negro and white men in increasing numbers create alliances to overcome their common problems.

He concluded with a reference to Alfred Nobel, who made his fortune in munitions, including the invention of dynamite, and whose will dedicated most of his fortune to annual prizes for distinction without regard to nationality:

I think Alfred Nobel would know what I mean when I say that I accept this award in the spirit of a curator of some precious heirloom which he holds in trust for its true owners - all those to whom beauty is truth and truth beauty - and in whose eyes the beauty of genuine brotherhood and peace is more precious than diamonds or silver or gold.

On January 2, 1965, Dr. King and Ralph Abernathy drove from Atlanta to Selma to energize the voting rights initiative. They saw opportunity because a new Mayor, Joseph T. Smitherman, had taken office and, while he was a segregationist, he took a more moderate approach than his predecessor. He and his city sheriff, Wilson Baker, said they wanted to avoid confrontation through negotiation that would keep Dr. King out of the city and reduce or minimize the types of protests that had damaged the reputation of other cities.

With support from several churches, King and Abernathy intended to defy an order issued in July by Judge James A. Hare that banned “assembly of three persons or more in a public place” under the sponsorship of specified organizations or individuals, including John Lewis and Amelia Boynton. The ban was a reaction to recent events. John Lewis had arrived in Selma in July 1964 to join protests against Jim Crow laws.

On July 4, literacy workers from the north had attempted to eat at the segregated Thirsty Boy Drive-In, prompting a visit from Sheriff Clark. He and his deputies arrested the four workers, using cattle prods in the process, and impounded their car. Later that day, when African-Americans flowed from the balcony of the city’s two movie theaters into downstairs seats reserved for whites, Sheriff Clark chased the African-Americans out and closed both theaters.

These confrontations resulted in a large crowd for a Sunday evening meeting at AME Zion Hall. Sheriff Clark declared the meeting a riot and invaded it along with his deputies and their tear gas and billy clubs.

When Lewis led 70 African-Americans to the courthouse on July 6 to register to vote, Sheriff Clark arrested most of them. He and his deputies marched them five blocks to jail, occasionally jolting them with cattle prods. At the sheriff’s request, Judge Hare issued his injunction. [*Pillar*, p. 391]

An appeal of the injunction was making its way through Federal courts. On January 2, Dr. King and Abernathy arrived in Selma. With Sheriff Clark in Miami to watch Alabama’s Crimson Tide, led by quarterback Joe Namath, play the Texas Longhorns in

the Orange Bowl (the Longhorns won, 21-17), Dr. King stood before a crowd of 700 at Brown Chapel challenging the order as he launched the voting rights initiative:

Today marks the beginning of a determined, organized, mobilized campaign to get the right to vote everywhere in Alabama. If we are refused, we will appeal to Governor George Wallace. If he refuses to listen, we will appeal to the legislature. If they don't listen, we will appeal to the conscience of the Congress. . . . We must be ready to march. We must be ready to go to jail by the thousands Our cry to the state of Alabama is a simple one. Give us the ballot! [*Pillar*, p. 554-555]

Dr. King designated January 18, 1965, as Freedom Day and arranged a series of efforts to desegregate Selma and open voter registration to African-Americans. The registration effort proved symbolic, but seven of eight restaurants served integrated groups and Dr. King registered at the formerly segregated Hotel Albert. (In the hotel foyer, James Robinson of the NSRP asked to speak with Dr. King for a moment. When Dr. King approached, Robinson punched him in the face and kicked him until being pulled away and arrested.)

The following day, volunteers expected to be arrested when they attempted to register to vote. Sheriff Clark obliged them, initially arresting Lewis and others without using a cattle prod or nightstick. However, at one point, he seized Amelia Boynton by the neck of her dress coat and shoved her to the sidewalk while photographers captured the image for newspapers, magazines, and television newscasts around the country.

As President Johnson prepared to begin his first term as elected leader of the country, he planned to emphasize the Great Society proposals he had outlined in his State of the Union Address on January 4, 1965. It would be a society that “asks not how much, but how good; not only how to create wealth but how to use it; not only how fast we are going, but where we are headed.” The national agenda he outlined included eliminating “every remaining obstacle to the right and the opportunity to vote.”

His Administration, however, was unsure how to proceed. After 4 years under Presidents Kennedy and Johnson, the Justice Department had found that the pursuit of county-by-county litigation was fruitless. While some officials favored a constitutional amendment, the reality was that the South would block ratification. Moreover, the right to vote was guaranteed already by the 15th Amendment to the Constitution (“The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude”), which had proven a weak guarantee in the South.

Although the Administration planned to do something about voting rights, the focus initially would be on securing the Great Society legislation. Despite President Johnson's legislative skills, that would be challenge enough. Critics were already dubbing his Great Society proposals a Communist plan. [*Pillar*, p. 556]

On February 1, Dr. King led a rally from Brown Chapel down Sylvan Street and into the arms of Sheriff Baker. When the marchers refused to break into small, separated groups that would not constitute a parade under city ordinance, Sheriff Baker arrested all 260-plus. Initially, he refused to include Dr. King and Abernathy among the arrested, but when they held a brief press conference on the sidewalk (Dr. King: “He said we could not come in. They were full and we could come back”), Sheriff Baker’s officers arrested them, too. Sheriff Baker also arrested nearly 500 schoolchildren who had marched from a different church, but he released them to their parents until trials could be scheduled.

While pressure continued outside the jail, Dr. King’s administrator, Andrew Young, approached President Johnson’s staff seeking support. President Johnson addressed the topic at a news conference on February 4, saying in his opening remarks:

On another matter, I should like to say that all Americans should be indignant when one American is denied the right to vote. The loss of that right to a single citizen undermines the freedom of every citizen. This is why all of us should be concerned with the efforts of our fellow Americans to register to vote in Alabama.

The basic problem in Selma is the slow pace of voting registration for Negroes who are qualified to vote. We are using the tools of the Civil Rights Act of 1964 in an effort to secure their right to vote. One of those tools of course is legal action to guarantee a citizen his right.

One case of voting discrimination has already led to a trial which has just been concluded. We are now awaiting a decision in this case. In the meantime I hope that all Americans will join with me in expressing their concern over the loss of any American's right to vote. Nothing is more fundamental to American citizenship and to our freedom as a nation and as a people. I intend to see that that right is secured for all of our citizens.

That same day, U.S. Judge Daniel Thomas of Mobile ruled in the case the President had mentioned. After consulting with the Justice Department, Judge Thomas “formally suspended a version of the Alabama literacy test, ordered Selma to take at least one hundred applications per registration day, and guaranteed that all applications received by June 1 would be processed before July.” [*Pillar*, p.579] Marches to test the ruling resulted in more arrests.

Dr. King, in a controversial move, posted bond, an act that undercut a visit by 15 Members of Congress to the jail to see him. By the time they arrived at the jail, he was at Amelia Boynton’s home. His supporters announced that he came out of jail to meet with President Johnson at the White House about the need for voting rights legislation.

When an aide told the President about the announcement, he was furious (“Where the hell does he get off inviting himself to the White House?”). Although Press Secretary George Reedy announced on February 6 that the Administration intended to submit voting rights legislation by the end of the year, the President was tied up with issues

related to the war in Vietnam on the Monday when Dr. King had proposed the meeting.

To smooth over the embarrassing situation, Dr. King agreed to a White House plan that he would announce a meeting on Tuesday with Vice President Humphrey. The White House promised that the President would emerge from his war meeting to greet Dr. King “spontaneously” if he kept this part of the plan secret. The meeting went as planned, but afterwards, Dr. King refused to read the White House’s draft statement or disclose what the President had said. Instead, Dr. King offered the media his own ideas for legislation and referred to the President’s commitment to take action. [*Pillar*, p. 581-582, 584]

The following day, over 160 students left Brown Chapel. To evade the city’s parade ordinance, they walked to the courthouse in small groups. Once there, they displayed voter rights signs they had hidden in their clothes. Sheriff Clark, under orders to avoid confrontation, called for buses to block the reporters’ view of the demonstrators. Finally, after receiving new instructions in the afternoon, he and his deputies herded the students along Alabama Avenue, past the city jails, and out of town. With billy clubs and cattle prods, the police forced the students into a trot and, finally, a run.

At a creek bridge on River Road, deputies blocked press photographers while he let the students escape into the fields. Later, Sheriff Clark announced that the students had escaped while he had simply been marching them the 6 miles to the Fraternal Order of Police Lodge because his jails were full. [*Pillar*, p. 586]

As protests continued in Selma and the surrounding area, an incident occurred in Marion, a few miles northwest on State Route 45 in Perry County, that would turn into one of the galvanizing moments of the voting rights crusade. Officials and white citizens in Marion decided to call in State police to put an end to the Perry County Voter League’s agitation in their community.

The league met at Mount Zion Baptist Church one evening with the intention of marching to the jail a block away to sing a freedom song in honor of SCLC leader James Orange, who had been arrested for contributing to the delinquency of young marchers in Selma. Reporters were on hand, but had told camera crews and photographers to leave their equipment in their cars to avoid provoking police or angry white crowds.

Half a block from the church, Marion Police Chief T. O. Harris ordered the marchers back inside. Reporters, confined across the square, could hear the struggles between the two groups in the darkness. Camera crews and photographers retrieved their equipment from their cars, but police and bystanders prevented them from taking any images of the nighttime events.

Many of the marchers tried to get back into the church, but the entrance was blocked by protesters who were coming outside to begin their march:

Panic drove the ones trapped outside to flee toward buildings behind the church. Fifty state troopers overtook many of them, including eighty-two-year-old Cager

Lee, who stumbled bleeding into Mack's Café to find his daughter Viola and grandson Jimmy Lee. In utter chaos, some troopers chased two dozen marchers into the café while ten others pushed inside to chase them out. They expelled one crippled customer unharmed, overturned tables, smashed lights, dishes, customers, and marchers. The café owner saw troopers attack Cager Lee again in the kitchen. For trying to pull them off, Viola Jackson was beaten to the floor. Her son Jimmy Lee Jackson lunged to protect her. One trooper threw him against a cigarette machine, another shot him twice in the stomach, and then they cudged him back outside toward the bus station, where he collapsed. Jackson was the only gunshot victim among ten Negroes who were hospitalized Reporters on the Marion square were surprised to come upon Sheriff Clark among the officers imported from other counties. He quipped that things had been too quiet for him in Selma. [*Pillar*, p, 592-593]

Jackson, a 26-year old pulpwood worker who had tried five times to register to vote, was taken to Good Samaritan Hospital in Selma, where he died on February 26. According to Branch:

Colonel Al Lingo, head of the Alabama state troopers, served an arrest warrant upon Jimmie Lee Jackson in his hospital bed Tuesday, and the Alabama Senate formally denounced "baseless and irresponsible" charges of dereliction by his men in the Marion incident. [*Pillar*, p. 597]

James Bevel, his marriage to Diane Nash dissolving because of his philandering, and Lafayette visited the Lee family, who encouraged them to continue the marches for voting rights. Bevel suggested to Lafayette that they march the 54 miles to Montgomery on U.S. 80, a plan Bevel announced that evening at Brown Chapel:

He expounded on Esther 4:8, in which Mordecai warned Esther of an order to destroy the Jews, and charged her to go to the king and "make request before him for her people." He preached that the king now was Governor Wallace, who ran the state troopers and kept Negroes from voting. "I must go see the king!" he cried, and soon brought the whole church to its feet vowing to go on foot as in the Bible. "Be prepared to walk to Montgomery!" shouted Bevel. "Be prepared to sleep on the highway!"

On the day that Jackson was buried, Wednesday, March 3, Dr. King participated in the funeral service in Marion. He predicted that "love will conquer hate" through justice, and endorsed the march to Montgomery scheduled for the coming Sunday. Returning from Marion to Brown Chapel, he predicted, "We will bring a voting bill into being on the streets of Selma." [*Pillar*, p. 600]

Governor Wallace and his staff decided on a plan they thought would make the marchers "the laughingstock of the nation." They would surprise marchers, who assumed they would be blocked, by letting them march to Montgomery. But police would block all vehicles, leaving the marchers without supplies for the 3-day walk. The marchers would

have to straggle back to Selma, leaving the protest a shambles. The Governor approved the plan with the understanding that he could change his mind at the last minute to block the march.

He did change his mind.

Dr. King stated that if the marchers were blocked, they would “lie down in the road” and wait for Federal relief. Governor Wallace responded by announcing, “There will be no march between Selma and Montgomery.” Mayor Smitherman added, “Negroes should not be permitted to make this senseless march.” [Branch, Taylor, *At Canaan’s Edge: America in the King Years 1965-68*, Simon and Schuster, 2006, p. 38-39]

On the Friday before the scheduled march, Dr. King was in Washington to meet with President Johnson to discuss the proposed voting rights bill. The President agreed about the need for a bill, as opposed to a constitutional amendment, but only agreed to submit a voting rights message to Congress.

Finding that he had to be in Atlanta for services at Ebenezer Church on Sunday, March 7, Dr. King proposed to postpone the march to Monday. While march leaders in Selma debated whether Dr. King had, or had not, approved the March 7 start, marchers began to assemble at Brown Chapel. Leaders reached Dr. King at his church and he concurred in the plan to proceed despite his absence.

Sheriff Clark had been in Washington on Saturday to tape the Sunday morning ABC show *Issues and Answers* (he claimed that “nigras are registered pretty much as they desire to” and that Dr. King had come to Selma “to make his personal bank account larger”). Sunday, he returned to Alabama and drove from Montgomery on U.S. 80 to the east side of the Edmund Pettus Bridge to oversee plans for the march. In addition to troopers on horseback, he had wide-nozzle tear gas spray guns and launching rifles for tear gas canisters. [*Canaan*, p. 46]

The Pettus Bridge

The Edmund Pettus Bridge, which was built in 1940, carries U.S. 80/Broad Street traffic across the Alabama River on the south side of Selma. It had been named after a Civil War General and Grand Dragon of the Alabama Ku Klux Klan who served in the United States Senate from 1897 until his death in 1907. He was the last Confederate General to serve in the Senate.

John Lewis and Hosea Williams led marchers from Brown Chapel at around 1:40 p.m. The day was gray and hazy, with a brisk wind from the Alabama River. They were stopped almost immediately by Selma Sheriff Baker, who advised them that since they did not have a parade permit, they would have to break into small groups. After breaking into groups of 25, they resumed marching at 2:18, the 500 or so marchers followed by vehicles with their supplies, including medical supplies and portable toilets.

At the Pettus Bridge, marchers found that troopers had blocked the road, as Branch described:

In the middle distance, a wall of trooper cruisers blocked all four lanes of Highway 80. Closer, a reserve of some 150 troopers, sheriff's deputies, and possemen mingled behind a front line of twenty-five troopers about two hundred yards beyond the foot of the bridge—the possemen in khaki jackets and white helmets, fifteen of them mounted on horseback, the troopers in blue uniforms and blue helmets. [*Canaan*, p, 49]

Troopers stopped the supply vehicles on grounds that the bridge had been closed to traffic.

As the marchers approached the bridge, troopers snapped on gas masks. Major John Cloud stepped forward to order the marchers to disperse. He gave the marchers 2 minutes to turn around. One minute later, he ordered the troopers to advance.

Overwhelmed, the marchers ran for their lives. Amid horses, troopers swinging nightsticks, bursting canisters of tear gas, and screams and shouts, the march dissolved in chaos. Lewis, struck on the head, collapsed with a fractured skull. Women, as well as men, were beaten; Amelia Boynton was found on the ground unconscious. In the rear, marchers unaware of what was happening, were knocked over by the front ranks of marchers and the pursuing troopers. Even at Brown Chapel, troopers in a frenzy lashed out at anyone they could reach. Sheriff Baker, confronting Sheriff Clark at Brown Chapel, demanded that he stop his troopers. Clark refused.

This time, Branch explained, film made it out of the city:

The ABC News film crew raced network competitors in a cavalry relay dictated by broadcast technology before videotape or satellite transmission. They drove around the troopers blockading Highway 80 at the first chance, then on through Lowndes County to the Montgomery airport and flights through Atlanta to New York, bearing canisters of undeveloped film to lab technicians rushed in for Sunday night work.

The FBI had been on the scene, but took no action during the melee except to arrest three white men, including James Robinson (the segregationist who had punched Dr. King), for attacking an FBI agent.

The network was broadcasting the television premiere of *Judgment at Nuremberg*, the 1961 Oscar winning film about the war crimes trials in Germany. Shortly after 9 p.m., ABC interrupted the movie for a 15-minute bulletin about the Selma march:

ABC's bonanza audience of forty-eight million unsuspecting viewers transferred from the mystery of Holocaust atrocities among Good Germans to real-life scenes of flying truncheons on Pettus Bridge. ABC News executives let the footage run

nearly fifteen minutes—as long as Sheriff Clark had appeared on *Issues and Answers*—before resuming the film. CBS and NBC aired similar bulletins during regular programming, but the Nuremberg interruption struck with the force of instant historical icon.

Like the images of Bull Connor suppressing protests in Birmingham, film and photographs of “Bloody Sunday” would prove to be a turning point for the Nation. They forced viewers to see with their own eyes what African-Americans experienced if they wanted to exercise a basic right that was routinely available to white Americans:

The tide of confidence in equal citizenship had swelled over decades to confront segregation as well as the Nazis, and would roll forward, but an opposing tide of resentment and disbelief rose to challenge the overall direction of American politics, contesting the language of freedom. [*Canaan*, p. 56-57]

After a distressing day of telephone reports from Selma, Dr. King announced plans for a renewed march.

By Sunday evening, Dr. King had announced he would lead a ministers' march to Montgomery on Tuesday, March 9. He telegraphed invitations around the country:

No American is without responsibility. All are involved in the sorrow that rises from Selma to contaminate every crevice of our national life. The people of Selma will struggle on for the soul of the nation, but it is fitting that all Americans help to bear the burden. I call, therefore, on clergy of all faiths, representatives of every part of the country, to join me in a ministers' march to Montgomery on Tuesday morning, March 9th. In this way all America will testify to the fact that the struggle in Selma is for the survival of democracy everywhere in our land. [*Canaan*, p. 60 note]

The response was sensational. Overnight, some four hundred ministers, rabbis, priests, nuns, students, and lay leaders—black and white alike—rushed to Selma to stand with Dr. King and the voting rights marchers.

Over a thousand people waited for Dr. King at Brown Chapel on Monday evening. He told them about the dangers the marchers faced. “We must let them know that if they beat one Negro they are going to have to beat a hundred, and if they beat a hundred, then they are going to have to beat a thousand.” [*Canaan*, p. 64]

At the White House, President Johnson was looking for a way out. His overtures to Governor Wallace were not productive; the President understood that the Governor needed to appear strong to his white backers and so could not be trusted. Picketers marched outside the Justice Department, and students were camped outside Deputy Attorney General Nicholas Katzenbach's office.

The President's representatives tried to convince Dr. King to call off the march, to avoid another Bloody Sunday blot on the national image, but Dr. King made clear that he could not do so unless the President offered significant alternatives to expand voting rights.

In the morning, Dr. King received news that Judge Johnson had approved a court order prohibiting the march from Selma, despite knowing that his order was unconstitutional and would be overturned on appeal – long after the day of the planned march. U.S. marshals were racing across U.S. 80 from Montgomery to Selma to serve the injunction on the march leaders named in the court order.

President Johnson dispatched former Florida Governor LeRoy Collins, now heading the Justice Department's Community Relations Service, to appeal to Dr. King. Branch summarized the appeal:

The President felt strongly that Sunday's violence disgraced the United States in the eyes of the world, said Collins. His overriding concern was to prevent more violence that would inflame racial hatreds and threaten stability far beyond Selma. Therefore, quite apart from legal mandates, the President wanted King's people to stay home to guarantee the peace.

This was too much for Rev. Fred Shuttlesworth. "You're talking to the wrong people," he interrupted from the background. Shuttlesworth, the irrepressible movement leader from Birmingham, said Collins was mixed up about who was beating people over the head and who was nonviolent. Did he see the pictures? Shuttlesworth suggested that Collins take up the issue of violence with Governor Wallace and Sheriff Clark. "They're the ones in the disgrace business," he said with his matador's bravado.

Collins suggested a compromise, even though it would violate the court order. Dr. King could lead a march across Pettus Bridge, but then turn around. Already, Colonel Lingo had arranged his state troopers on the far side of the bridge, with 150 police cruisers behind them. "I don't believe," Dr. King told Collins, "you can get those people not to charge into us even if we do stop." [*Canaan*, p. 70-71]

Protesters marched outside the White House, the sit-in at the Justice Department was growing, and President Johnson was distracted from the ceremony planned for the signing of the Appalachian Regional Development Act. But that afternoon, Dr. King emerged from Brown Chapel to a roar from the crowd. "Almighty God, thou has called us to walk for freedom, even as thou did the children of Israel," he began in prayer. As aides organized the marchers, he said through a bullhorn, "I say to you this afternoon that I would rather die on the highways of Alabama than make a butchery of my conscience." Nevertheless, he warned the crowd:

If you can't be nonviolent, don't get in here. If you can't accept blows without retaliating, don't get in the line.

The march began shortly after 2:17 p.m., with about 1,500 marchers behind Dr. King. Governor Collins emerged from a government sedan to meet with Dr. King as he led the march. The troopers would not attack, Collins said, as long as the marchers kept to a route marked on a map that he gave Dr. King. Despite Dr. King's doubts about trusting the State's word, Collins hopped back into his sedan and headed to the other side of the bridge. He planned to stand with Colonel Lingo to try to keep him to the promise.

The route shown on the map was the normal route to the bridge via U.S. 80/Broad Street. As Dr. King approached Pettus Bridge, Deputy U.S. Marshal Stanley Fountain held up his hand to halt the marchers. He read the full text of Judge Johnson's 600-word order. When Fountain was done, Dr. King said, "Let's go." He reached Pettus Bridge around 2:35.

Confronted by a State trooper and ordered to disperse, King and some of the other leaders kneeled to lead the front ranks of marchers in brief prayers. As they rose, they saw to their surprise, that the troopers had been ordered to move aside, leaving the road to Montgomery open.

The unexpected move stunned Dr. King, the other marchers, Justice Department observers, and bystanders. Dr. King had to decide quickly whether he would be leading the marchers into a trap, knowing that if he turned back, he might appear timid. King led the marchers back into Selma. [*Canaan*, p. 74-77]

President Johnson, having been advised not to issue a statement following Bloody Sunday, issued one on Tuesday. "I am certain," he said, "Americans everywhere join in deploring the brutality with which a number of Negro citizens of Alabama were treated when they sought to dramatize their deep and sincere interest in attaining the precious right to vote." He had dispatched officials to Selma to monitor the situation and had directed the Justice Department to enter as a "friend of the court" in the request before the Federal District Court in Alabama enjoining State officials from interfering with the right of Alabama citizens to walk from Selma to Montgomery. In addition, he expected to have recommendations for legislation by the following week. He concluded:

We will continue our efforts to work with the individuals involved to relieve tensions and to make it possible for every citizen to vote. I urge all who are in positions of leadership and capable of influencing the conduct of others to approach this tense situation with calmness, reasonableness, and respect for law and order.

That night, three white Unitarian ministers who had answered Dr. King's call were walking down the street after dinner at Walker's Café when they were attacked by several white men. One of them hit James Reeb in the head with a bat. Ministers Orloff Miller and Clark Olsen tried to protect Reeb and themselves from the kicks and taunts. When the attack ended, the three ministers made it to Diane Nash who arranged for medical treatment. Reeb was in desperate need of treatment in a neurosurgery unit in Birmingham.

An ambulance raced off, but outside Selma one of its tires blew. The crew were delayed trying to find a place where they could safely summon a second ambulance. While they waited, one of Sheriff Clark's deputies stopped to see what was going on, but refused to help them get to Birmingham. The second ambulance finally arrived, 2 hours after the attack, and raced Reeb to the hospital.

The ambush made national news the next day, with dramatic stories about how Reeb's wife had flown to Birmingham to be with her husband. "I told the children this morning as soon as they woke up that their father had been hurt," she told reporters. "The younger ones did not fully understand, but the thirteen-year-old was quite upset." [*Canaan*, p. 80-81, 84-85]

The day before, while waiting with six congressional leaders in the White House before the signing ceremony for the Appalachian bill, President Johnson had talked extemporaneously about the urgency of voting rights. "Good Lord, Mr. President," gasped Speaker of the House John McCormack (D-Ma.), "why don't you say that to the people?" The President told him, "At the right time I will." [*Canaan*, p. 74]

Bloody Sunday, the turn-around march on Tuesday, and now the news about Reeb, who lay dying in Birmingham, advanced the schedule for voting rights legislation. Pressure mounted on the President when six African-American students and six white students entered the White House along with other tourists but began a sit-in in an East Wing corridor. They were removed—gently and out of sight of the White House press corps—before 50 or so Members of Congress arrived for a briefing on Vietnam.

The President brought up the situation in Selma. "The ghost of Lincoln is moving up and down the corridors rather regularly these days," he said. When Katzenbach explained that the Justice Department planned to prosecute individual violators, Representative John Bell Williams of Mississippi "blasted Katzenbach for siding with Communist agitators to trample on the rights of the South," as Branch put it. [*Canaan*, p. 87-89]

Reeb died in Birmingham on Thursday, March 11, at 6:55 pm.

On Friday, the President, Vice President, and Katzenbach met for more than 4 hours with activists and clergy, many of whom had been in Selma. At one point, Episcopal Bishop Paul Moore, Jr., asked the President why it was taking so long to send a voting rights bill to Congress. The President explained the difficulty of drafting a bill that would ensure the rights of African-Americans and pass a Congress dominated by Committee Chairmen from the South.

Later that day, the President learned that Governor Wallace had requested a meeting. Johnson accepted immediately.

In requesting the meeting, Wallace had not counted on the "Johnson Treatment," but he would receive, full force, when the two met on Saturday morning. The President began

with some bantering. He pointed out that the Governor and Dr. King had one thing in common – the guts to demand an appointment with him and tell the press before he had accepted. The President directed the Governor to a low chair and pulled his own higher chair nearby so they were practically knee to knee. After the Governor spoke for 15 minutes soliciting the President’s opposition to the Communists and outside agitators who were causing all the trouble, the President went into Treatment mode. He didn’t care for demonstrators – they “kept my daughters awake every night with their screaming and hollering” – but “You can’t stop a fever by putting an icepack on your head.” You had to get at the cause of the fever.

In response to the Governor’s objection to the White House’s use of the word “brutality,” he displayed photographs from Bloody Sunday. The Governor had to admit that “brutality” was the right word. The President badgered the Governor about getting away from this battle and on to other causes that would help the people of Alabama. “What do you want left when you die? Do you want a great big marble monument that reads, ‘George Wallace—He Built,’ or do you want a little piece of scrawny pine board that reads, ‘George Wallace—He Hated’?” When the Governor’s aide tried to discuss the menace of Communist agitators, the President handed him a pencil and said, “Here, take notes.”

Going down a list he had solicited from Katzenbach that morning, the President suggested that the Governor join in a statement committing to desegregate the State’s schools, or obeying Federal court orders, or the right of peaceful assembly, or biracial meetings to find solutions. Turning to the aide, he added, ‘You getting this down?’ Wallace could not agree to these options or the President’s suggestion that he simply support universal suffrage.

The Governor assured him that everybody in Alabama could vote if they were registered, but since registration was handled by the counties, he didn’t have the power to register African-Americans who failed county eligibility requirements. The President rejected this argument, recalling that his name had been left off the ballots in Alabama in 1964, leaving voters to choose only Democratic electors. (For the first time since the Civil War, Alabama had voted for the Republican nominee, Senator Goldwater.) He argued that if the Governor had the power to keep him off the ballot in 1964, “Surely you have the power to tell a few poor county registrars what to do.”

The meeting lasted over 3 hours, after which the Governor told reporters the President was “a great gentleman, as always,” but whatever he had expected to get out of the meeting, he didn’t get it. On the flight back to Alabama, he told aides, “when the President works on you, there’s not a lot you can do.” [*Canaan*, p. 96-98]

On Monday, Brown Chapel held a memorial service for Reeb at 2 p.m. Dr. King was in Montgomery under court order during Judge Johnson’s hearing. He also had been invited to Washington for the President’s address to Congress on voting rights. Torn among responsibilities, Dr. King finally secured permission from the court to participate in the memorial service. Telling Brown Chapel’s leaders to stall until he arrived, Dr. King

raced along U.S. 80 from Montgomery to Selma.

Arriving late, Dr. King told the crowd that Reeb's death "was the result of a sensitive religious spirit. His crime was that he dared to live his faith." Referring to Jimmie Lee Jackson and Reeb, Dr. King looked forward to the day when "our nation will realize its true heroes." He concluded, "Here and there an individual or group dares to love Therefore, I am not yet discouraged about the future So we thank God for the life of James Reeb. We thank God for his goodness."

Reverend Abernathy stepped to the pulpit and announced that Judge Thomas had approved an order directing Sheriff Clark to allow a march to the courthouse. Since Tuesday, protesters had been limited to the perimeter of the church. Now 3,500 strong, they marched off shortly after 5 p.m. for the courthouse. They made no attempt to cross Pettus Bridge, but walked to the courthouse for a memorial service. [*Canaan*, p. 105-108]

That night, March 15, President Johnson entered the chamber of the House of Representatives for an address to a joint session of Congress and the Nation on the "American Promise." Members of the House and Senate, minus the delegations from Mississippi and Virginia and a few Members from other Southern States, had assembled for the speech. The President told them:

At times history and fate meet at a single time in a single place to shape a turning point in man's unending search for freedom. So it was at Lexington and Concord. So it was a century ago at Appomattox. So it was last week in Selma, Alabama.

There, long-suffering men and women peacefully protested the denial of their rights as Americans. Many were brutally assaulted. One good man, a man of God, was killed

But there is cause for hope and faith in our democracy in what is happening here tonight.

For the cries of pain, and the hymns and protests of oppressed people, have summoned into convocation all the majesty of this great government of the greatest nation on earth.

Selma, he said, had revealed "the secret heart of America itself." If the Nation defeated every one of its enemies and expanded its wealth, but could not overcome this issue, "then we will have failed as a people and as a nation." He continued, "For with a country as with a person, 'What is a man profited if he shall gain the whole world and lose his own soul?'"

Noting that the Nation had been founded on the principle that, “All men are created equal,” he said:

There is no Negro problem. There is no Southern problem. There is no Northern problem. There is only an American problem. And we are met here tonight as Americans—not as Democrats or Republicans—we are met here as Americans to solve that problem.

Despite passage of civil rights legislation, “No law that we now have on the books . . . can ensure the right to vote when local officials are determined to deny it.” He outlined his legislative proposal, which would outlaw all the restrictions that blocked African-Americans from registering to vote in Federal, State, and local elections. If State or local officials refused registration, the United States Government would register them. And it would ensure that registered voters were not prohibited from exercising their right.

He recalled how the voting rights provision of the Civil Rights Act of 1964 had been weakened, but that bill finally had passed after 8 long months of debate. “This time, on this issue, there must be no delay, no hesitation and no compromise with our purpose.” He added, “We have already waited a hundred years and more, and the time for waiting is gone.”

As African-Americans struggled to secure “the full blessing of American life,” he said:

Their cause must be our cause too. Because it is not just Negroes, but really it is all of us, who must overcome the crippling legacy of bigotry and injustice. And we shall overcome.

Branch described the reaction to the President’s use of the Civil Rights Movement’s most common phrase:

No one stood. Applause battled disbelief and renewed astonishment to hear such words from the first Southern President in a century.

The President’s close friend and one-time mentor, Senator Russell of Georgia, told friends sitting nearby that his protégé was “a turncoat if there ever was one.”

Watching on television, Selma Mayor Smitherman said the phrase was like “a dagger to your heart,” but not far away, colleagues of Dr. King erupted in excitement to hear the phrase from the President’s lips. “A tear rolled down King’s cheek,” Branch noted.

As he moved toward his conclusion, President Johnson said:

The real hero of this struggle is the American Negro. His actions and protests, his courage to risk safety and even to risk his life, have awakened the conscience of this Nation. His demonstrations have been designed to call attention to injustice, designed to provoke change, designed to stir reform.

He has called upon us to make good the promise of America. And who among us can say that we would have made the same progress were it not for his persistent bravery, and his faith in American democracy.

He recalled his first job as a teacher of poor Mexican-American children who experienced the pain of prejudice without understanding why:

I never thought then in 1928 that I would be standing here in 1965 . . . that I might have the chance to help the sons and daughters of those students, and to help people like them all over this country. But now I do have that chance, and I let you in on a secret: I mean to use it. And I hope you will use it with me.

This comment earned a standing ovation as he moved to the end of his speech:

I came down here to ask you to share this task with me and to share it with the people that we both work for. I want this to be the Congress, Republicans and Democrats alike, which did all these things for all these people.

Beyond this great chamber, out yonder in 50 States, are the people that we serve. Who can tell what deep and unspoken hopes are in their hearts tonight as they sit there and listen. We all can guess, from our own lives, how difficult they often find their own pursuit of happiness, how many problems each little family has. They look most of all to themselves for their futures. But I think that they also look to each of us.

Above the pyramid on the great seal of the United States it says—in Latin—"God has favored our undertaking."

God will not favor everything that we do. It is rather our duty to divine His will. But I cannot help believing that He truly understands and that He really favors the undertaking that we begin here tonight.

He left the House chamber to tumultuous applause. The President asked his aide, Jack Valenti, "how did I do?" Valenti had kept track. The President had been interrupted 36 times for applause lasting a total of 8 minutes and 40 seconds. [*Canaan*, p. 111-115]

Across the Bridge

The next day, life in Alabama was unchanged. In reaction to recent events, SNCC's James Forman staged a hastily arranged march in Montgomery to deliver a voting rights petition to Governor Wallace. The 600 marchers included students and people intercepted at the airport on their way to Selma. They began at Jackson Baptist Church, but were stopped by police at the corner of Decatur Street and Adams Avenue. Montgomery County sheriff Mac Sim Butler and 15 mounted troopers rode into the marchers and pummeled them with nightsticks and, in the sheriff's case, a cane held by

the tip end. Photographs of the attack made the front page of newspapers around the country.

Dr. King led a second march the following day, 2,000 strong, to the courthouse in Montgomery. Aware of the negative publicity from the previous day, the local prosecutor met Dr. King to apologize for the “mix-up and a misunderstanding of orders” the day before. While the marchers waited in the rain outside, Dr. King and James Forman entered the courthouse to negotiate new protest procedures. At 5:15, they came out to brief the marchers:

Local officials had agreed to sign a statement of regret for Tuesday’s violence, they said, and to forswear the use of the unaccountable possemen for law enforcement. They thanked the rain-soaked crowd for putting a “historic occasion” within reach.

Andrew Young interrupted to whisper in Dr. King’s ear.

His face changed. News cameramen expectantly buzzed reporters near him to clear the view—“get the mike down, get the mike down.”

“Let me give you this statement I think will come as a source of deep joy to all of us,” King called out. “Judge Johnson has just ruled that we have a legal and Constitutional right to march from Selma to Montgomery!” Rolling cheers erupted over the last words.

Judge Johnson had intended to issue the order all along, but had been waiting for guarantees from Washington that the marchers would be protected. [*Canaan*, p. 118-119, 122-123]

Dr. King scheduled the march to begin on Sunday, March 21. As State officials headed to New Orleans to appeal Judge Johnson’s ruling, the Senate adopted a resolution sending the President’s bill to the Judiciary Committee, with instructions that the committee report the bill for floor action no later than April 9, the 100th anniversary of General Robert E. Lee’s surrender at Appomattox. Judiciary Chairman Eastland was outraged that his prerogative to set the timetable had been usurped. He added, “I am opposed to every word and every line in the bill.”

The White House was sparring with Governor Wallace over whether the State would enforce safety for the march. The President’s dominance of Wallace during their face to face meeting did not work on the telephone, but the Governor implied he would call up as many members of the Alabama Guard as necessary. Then he changed his mind. On Thursday, March 18, Governor Wallace addressed the State legislature to denounce the marchers who served a “foreign philosophy” that used African-Americans “as tools in this traditional type of Communist street warfare.” He called on Alabamians to stay home, and said that since the Federal court had created the problem, he would call on Washington to “provide for the safety and welfare of the so-called demonstrators.”

The President was infuriated that the Governor had gone back on his word and further angered when the Governor telegraphed a request for 5,000 civilian Federal workers, such as marshals and prison guards, to police the march. The telegram put the President in an awkward position because the States rights issue made calling out the National Guard or other Federal law enforcement officers problematic. The President, who wanted to issue a rebuke, instead replied that civilian workers were untrained for the task whereas the Alabama National Guard was trained and equipped for the purpose. Under the circumstances, the President intended to protect the marchers if Governor Wallace would not. [*Canaan*, p. 125-128]

Dr. King and his aides had to concentrate on planning the march in accordance with limitations placed by Judge Johnson's order. He allowed the march to last 5 or fewer days. Any number of people could participate at the beginning and end of the march, but no more than 300 could walk on the two-lane segment of U.S. 80 in Lowndes County. What to do with the marchers who could not participate in Lowndes County posed a logistical nightmare. [*Canaan*, p. 131]

On Sunday, March 21, the march began at Brown Chapel just before 1 p.m. with over 3,000 participants, a large press contingent, and hostile bystanders along the route. Dr. King led the march alongside Reverend Abernathy, Nobel Peace Prize winner Ralph Bunche of the United Nations, and Rabbi Abraham Heschel of the Jewish Theological Seminary of America. Marchers included college and high school students, housewives, movie stars, maids, even couples with baby carriages. Cager Lee, Jimmie Lee Jackson's 80-year old grandfather, was the oldest marcher. The bystanders were quiet, confining themselves to occasional protests, such as playing the popular song "Bye, Bye, Blackbird" from their car radios.

At Broad Street, the marchers turned left and approached the Pettus Bridge, now clear of any obstacles. Under General Graham, the federalized Alabama National Guard was ready to protect and facilitate the march. The marchers crossed the bridge without incident and continued on U.S. 80 as National Guard Jeeps drove ahead to block intersections. Passing vehicles sometimes included intimidating signs such as "Cheap ammo here," but the marchers continued unimpeded.

At the first break, things began to sort out, according to Branch:

After the reclining multitude ate bologna sandwiches—King in a dark suit, overcoat, and new hiking boots—hard pavement troubled the march more than danger. Backpacks grew heavy and assorted protections awkward—yellow hardhats, umbrellas, one football helmet. For stragglers who dropped from the lines by the score, sore and sick, marshals arranged transport back to Selma in private automobiles with National Guard escorts. [*Canaan*, p. 144]

The first night's campsite was 7 miles out of Selma on property owned by an African-American. Many of the marchers were shuttled back to Selma for the night by car on

U.S. 80 or on a special train. About 400 marchers spent the night in four large field tents.

Monday morning, the marchers got an early start, gradually joined by some of the marchers returning by bus from Selma. At the next rest stop, organizers had to reduce their number to 300 as mandated by Judge Johnson because the marchers had reached the 22-mile long segment of two-lane U.S. 80 in Lowndes County. The reduction led to arguments and resentments as those not selected returned to Selma.

Finally, they set off again, with the reduced contingent including about 22 white marchers and John Lewis, just arrived despite his injuries on Bloody Sunday and advice from friends that he avoid potential confrontations while he was convalescing. About one-third of the marchers were women. They completed 16 miles on Monday without incident except for greetings from well-wishers along the way. Arriving in camp that night, many marchers needed treatment for sunburn and other heat-related conditions. Dr. King's wife, Coretta, joined them in the evening.

On Tuesday, Dr. King flew to Cleveland to raise funds for the march before taking his charter flight back to Montgomery. He told 2,200 people at the Hotel Sheraton that their donations would help defray the estimated \$50,000 cost of the march. "Ohio's largest newspaper, the *Plain Dealer*," according to Branch, "highlighted blistered feet on the front page—'Dr. King, in Cleveland, Tries Not to Limp' . . ." [*Canaan*, p. 152-153]

While in Cleveland, Dr. King missed the morning deluge that saturated the marchers, but they continued along U.S. 80 in the rain. White bystanders taunted them, but the marchers sang songs to keep their spirits up. Branch noted a significant moment:

Halfway to Montgomery, on request from [Assistant Attorney general of the U.S. Department of Justice] John Doar through Pentagon Channels, Guardsmen in splattered ponchos along the route obediently turned outward toward the countryside, acknowledging external rather than internal danger. [*Canaan*, p. 150]

At the end of the day, the marchers arrived at their camp to find much of it too wet to use. After the Army demolition unit finished sloshing through the mud in search of bombs, march organizers found ground that was solid enough for two of the field tents that were usable only after bales of hay and straw provided some relief from the wet ground.

Wednesday morning, Andrew Young led the marchers out of the muddy camp onto U.S. 80, which returned to four lanes a mile ahead. No longer limited by Judge Johnson's order, additional marchers began to join.

By the time Dr. King returned around 11 a.m., the marchers totaled over 1,000, with more continuing to arrive by car and bus. When thunderstorms struck at around 1:30 p.m., the marchers stretched over a mile of the highway. An estimated 4,000 to 5,000 were marching by the time the group reached its final stop on a Catholic campground just outside Montgomery.

More supporters joined through the late afternoon and evening in anticipation of the march into the city. The crowd swelled to 30,000 by the end of the day, straining the limited capacity of the campsite. A stage had been erected, but the planned program was delayed by equipment failures that kept the camp in the dark. Finally, technicians coaxed a sound system to life:

[The] jerrybuilt sound system sputtered to life late in the evening, allowing Harry Belafonte to sing one of his signature calypso hits, “Jamaica Farewell.” To restore order and spirits, Belafonte presented a midnight gala featuring Nina Simone, Alan King, Billy Eckstein, Johnny Mathis, the Chad Mitchell Trio, Leonard Bernstein, James Baldwin, and many others. Coretta King read a Langston Hughes poem in a rare joint appearance with her husband, saluting the large contingent of marchers from her native Perry County—“I was born and reared just eighty miles from here. [*Canaan*, p. 157-158]

Dr. King spent most of the night in a nearby home participating in a staff meeting. When he returned to the St. Jude camp in the morning, soldiers, who had been told to block left turns into the campgrounds, initially blocked his car. Bernard Lee and Andrew Young tried to convince the sergeant in charge to let Dr. King’s car through. When they failed, Dr. Ralph Bunche told the sergeant, “I’m Dr. Ralph Bunche, undersecretary of the United Nations. Here for the march.” The sergeant replied, “Sorry, sir. This is not the United Nations. My orders are no left turn.” Finally, as Dr. King left the car to try to resolve the situation, a Montgomery police officer arrived and told the sergeant, “You danged fool. This is the man. Let him through!” The sergeant let the car through. [*Canaan*, p. 159-160]

Inside the camp, the order of marchers was hotly debated. Finally, 2 hours late, Dr. King was ready to lead approximately 12,000 marchers out of the camp. Intersections along the 4-mile march had been blocked, but more participants joined the long procession as it passed through the city:

From St. Jude hospital, where Coretta had given birth to the Kings’ first two children, the path moved into Negro neighborhoods down Oak Street past Holt Street Baptist Church, where King at twenty-six had addressed the first mass meeting of the bus boycott more than nine years earlier The column streamed down Mobile Street into a downtown business district that was eerily deserted. Governor Wallace had proclaimed a “danger” holiday for female state employees, and major businesses placed newspaper advertisements endorsing his stay-home message. From an office building at the corner of Lee and Montgomery, marchers were showered with leaflets picturing King in 1957 at Tennessee’s Highlander Center, labeled “MARTIN LUTHER KING AT COMMUNIST TRAINING SCHOOL”

From a high window in the federal building, where four years earlier a horrified John Doar had watched mobs beat integrated Freedom Riders at the bus station,

Frank Johnson witnessed a political demonstration for the first time in his life; he and a fellow judge measured two hours for the lines to pass the Jeff Davis Hotel . . .

Around the fountain at Court Square, where Rosa Parks had boarded her segregated bus home from work on the day in 1955 when her arrest started the boycott, the route opened broadly for the last six blocks up the hill toward the Palladian white dome of the Alabama state capitol. [*Canaan*, p. 162]

State troopers stood behind wooden barriers along Dexter Avenue as Dr. King led the march past Dexter Avenue Baptist Church, site of his first pastorate. Troopers also blocked access to State property where Dexter Avenue, the route of Jefferson Davis' first inaugural parade, met Bainbridge Street. Governor Wallace had ordered a plywood covering to prevent the marchers from "desecrating" by their touch the bronze floor emblem on the spot where Jefferson Davis had taken the oath of office as President of the Confederate States of America in February 1961.

The stage for the rally was the back of a flatbed truck. The rally began with performances by singers, including Odetta, Leon Bibb, Joan Baez, and Oscar Brand. When national broadcasts captured the white Mary Travers of Peter, Paul, and Mary kissing the black Harry Belafonte on the cheek, telephone calls flooded the networks from outraged southerners demanding that the broadcast be ended (as well as calls from angry viewers whose afternoon soap operas had been preempted).

Amelia Boynton read the petition intended for Governor Wallace, while Rosa Parks, pushed forward against her wishes, spoke briefly to thunderous applause. Finally, Dr. King took the stage to address "all of the freedom-loving people" assembled before him and around the Nation and world:

Last Sunday, more than eight thousand of us started on a mighty walk from Selma, Alabama. We have walked on meandering highways and rested our bodies on rocky byways. Some of our faces are burned from the outpourings of the sweltering sun. Some have literally slept in the mud. We have been drenched by the rains.

He acknowledged that, "Our bodies are tired, and our feet are somewhat sore," but he recalled what a 70-year African-American woman had said when she was asked during the bus boycott if she wanted a ride. When she declined, the friend asked if she wasn't tired. "My feets is tired, but my soul is rested." He continued:

And in a real sense this afternoon, we can say that our feet are tired, but our souls are rested.

They told us we wouldn't get here. And there were those who said that we would get here only over their dead bodies, but all the world today knows that we are here and that we are standing before the forces of power in the state of Alabama

saying, “We ain’t goin’ let nobody turn us around.”

He reminded them why they had marched to Montgomery. “Confrontation of good and evil compressed in the tiny community of Selma generated the massive power to turn the whole nation to a new course.” He continued:

A president born in the South had the sensitivity to feel the will of the country, and in an address that will live in history as one of the most passionate pleas for human rights ever made by a president of our nation, he pledged the might of the federal government to cast off the centuries-old blight.

He was confident of the future:

So I stand before you this afternoon with the conviction that segregation is on its deathbed in Alabama and the only thing uncertain about it is how costly the segregationists and Wallace will make the funeral.

The denial of the right to vote that they had come to secure was “the very origin, the root cause, of racial segregation in the Southland.” The denial supported the segregated society in which they lived, and blocked the progress of African-Americans who needed to join in the American way of life:

Today I want to tell the city of Selma, today I want to say to the state of Alabama, today I want to say to the people of America and the nations of the world: We are not able to turn around. We are on the move now. Yes, we are on the move and no wave of racism can stop us.

We are on the move now.
 The burning of our churches will not deter us.
 We are on the move now.
 The bombing of our homes will not dissuade us.
 We are on the move now.
 The beating and killing of our clergymen and young people will not divert us.
 We are on the move now.
 The arrest and release of known murderers will not discourage us.
 We are on the move now.

Like an idea whose time has come, not even the marching of mighty armies can halt us. We are moving to the land of freedom.

Let us therefore continue our triumph and march to the realization of the American dream.

He continued with the list of barriers to be overcome, including segregated and inferior education, poverty, and hunger:

Let us march on ballot boxes, until we send to our city councils, state legislatures, and the United States Congress men who will not fear to do justice, love mercy, and walk humbly with their God. Let us march on ballot boxes until all over Alabama God's children will be able to walk the earth in decency and honor.

For all of us today the battle is in our hands. The road ahead is not altogether a smooth one. There are no broad highways to lead us easily and inevitably to quick solutions. We must keep going.

Difficulties remained, a season of suffering was ahead, jail cells awaited them. But "the end we seek is a society at peace with itself, a society that can live with its conscience." He continued:

I know you are asking today, "How long will it take?" I come to say to you this afternoon however difficult the moment, however frustrating the hour, it will not be long, because truth pressed to earth will rise again.

How long? Not long, because no lie can live forever.

How long? Not long, because you still reap what you sow.

How long? Not long. Because the arm of the moral universe is long but it bends toward justice.

How long? Not long, 'cause mine eyes have seen the glory of the coming of the Lord, tramping out the vintage where the grapes of wrath are stored. He has loosed the fateful lightning of his terrible swift sword. His truth is marching on.

He has sounded forth the trumpets that shall never call retreat. He is lifting up the hearts of man before His judgment seat. Oh, be swift, my soul, to answer Him. Be jubilant, my feet. Our God is marching on. [*Testament*, p. 227-230]

Governor Wallace refused to accept the voting rights petition the marchers had brought with them.

One of the people in the crowd for Dr. King's speech was a 39-year old white mother of five from Detroit, Violet Luizzo. She had been inspired by President Johnson's March 15 speech to hop in her Oldsmobile and drive to Alabama for the march. She performed administrative tasks for the marchers waiting at Brown Chapel for Judge Johnson's clearance, and had loaned her car to the transportation committee for the march.

Now, with the march ended, she found her Oldsmobile and used it to transport marchers back to Selma on U.S. 80. On the way, her car was tailgated by two cars with bright headlights flashing, but she arrived safely. She and a young African-American named Leroy Moton decided to make one more run to Montgomery to help marchers get back to Selma.

Four Klan members from Birmingham had been looking for trouble all day, but had been frustrated by the presence of military vehicles and State troopers. They had been inspired

at the Silver Moon Café by one of the men who had killed James Reeb. “I did my job,” he told them. “Now you go and do yours.” Shortly after, they spotted Liuzzo and Moton and began pursuing the interracial “couple.”

The four followed Liuzzo across the Pettus Bridge and tailed the vehicle past Craig Air Force Base and by a radar speed unit. The State trooper operating the unit had stopped the four earlier in the day on U.S. 80 because of an equipment disparity on their car. Now, the four tailed Liuzzo and Moton onto the two-lane segment of U.S. 80 in Lowndes County.

Finally, the four saw their opportunity:

Over one hilly straightaway, jammed against rolled-down windows on the passenger side, they held on for a passing run with three guns poked into the howling wind.

Leroy Moton was absorbed with the radio dial, making an effort to accept Liuzzo’s hope that the pursuers might be “some of our own people,” when glass exploded over the front seat. Realizing that the car still hurtled along with Liuzzo slumped under the wheel, he grabbed from the side and steered blindly off the right shoulder over violent bumps to a tilted stop along the embankment of a fenced pasture. Moton managed to turn off the engine and headlights, blacked out for some time from the look of Liuzzo’s dead face, then ran toward Montgomery. Not for several miles of empty night did a truck come along driven by a Disciples of Christ minister from Richmond, California, Leon Riley, who backed up to investigate the frantically waving, blood-spattered young beanpole—nearly six feet four, less than 140 pounds. [*Canaan*, p. 173-174]

Word of the murder soon reached President Johnson, who called on the FBI to investigate. Wilson Baker took Moton into custody in Selma, where he was questioned by the FBI. Finding the perpetrators had not been hard. The four men in the car included an FBI informant. He was given immunity in return for his testimony, while two of the other three would eventually serve time in jail. (The other murderer died before justice could be done.)

The Voting Rights Act of 1965

The march from Selma to Montgomery on U.S. 80, the deaths of Jackson, Reeb, and Liuzzo, and the President’s commitment kept the Voting Rights Act moving forward. In the Senate, Southern opponents staged a 24-day filibuster. Reporter E. W. Kenworthy explained in *The New York Times* explained that in contrast with the filibuster of the Civil Rights Act of 1964, “the sense of history in the making that made the closure vote last year a great occasion was largely missing today.” He explained that the limited scope

of the bill, in contrast with the sweeping 1964 Act, was one reason the debate had less tension. He added:

By contrast, the voting rights bill was much less controversial. Southerners themselves have always recognized that, of all discriminations practiced against the Negro, the denial of his right to vote was the least defensible because the 15th Amendment [to the Constitution], ratified 95 years ago, forbids states to deny or abridge the right to vote because of race or color.

In the desultory debate on the bill, the Southerners did not attempt to defend the way that Mississippi and Alabama, and to a lesser degree Louisiana, Georgia, South Carolina and North Carolina, have employed literacy and other tests to prevent the voter registration of Negroes.

They rested their defense almost entirely on the right of the states, under Article I, Section 2 of the Constitution, to determine their own qualifications for voting

Although the Southerners had protested bitterly through the debate that the bill was unconstitutional and that it was particularized and punitive legislation, many gave the impression they were not reluctant to have the issue settled.

In part, this unspoken acceptance may be explained by the knowledge that Negroes are voting in large numbers in many parts of the South and will be voting in larger numbers, and that consequently Southern Democrats will soon be courting their votes.

On May 25, the Senate voted 70 to 30 to invoke closure, 3 votes more than the two-thirds vote required at the time to end filibusters. [Kenworthy, E. W., "Senate, 70 to 30, Invokes Closure on Voting Rights," *The New York Times*, May 26, 1965]

The following day, the bill passed the Senate by a vote of 77 to 19, with 47 Democrats and 30 Republicans in support and 17 Democrats and 2 Republicans opposed. They approved the bill despite the assertion by Senator Allen J. Allender (D-La.) that the bill violated the Magna Carta, the Declaration of Independence, the Constitution, and the Bill of Rights.

Before voting against the bill, Senator Strom Thurmond of South Carolina, who had switched his party affiliation from Democrat to Republican in September 1964, eulogized the Senate as the "final resting place of the Constitution and the rule of law, for it is here that they will have been buried with shovels of emotion under piles of expediency, in the year of our Lord, 1965." According to Branch:

Defeated Southern Democrats foresaw a "federal dictatorship" over the vote process to cement the economic impoverishment of "garden variety" white people that their leader, Senator Russell, had pronounced already inevitable from the Civil Rights Act of 1964. [*Canaan*, p. 227]

Shortly after Senate action, President Johnson called the vote “triumphant evidence of this Nation’s resolve that every citizen must and shall be able to march to a polling place and vote without fear or prejudice or obstruction.” He thanked the Senate leadership and their supporters on behalf of “a heartened Nation.” He urged quick approval in the House.

While awaiting House action, the President delivered a commencement address at Howard University on June 4. He said he was proud of his role in approval of three Civil Rights Acts. As Senate Majority Leader, he secured passage of Civil Rights Acts in 1957 and 1960 and of course as President, he had signed the Civil Rights Act of 1964:

And, as your President, I was proud to sign the third. And now very soon we will have the fourth—a new law guaranteeing every American the right to vote. No act of my entire administration will give me greater satisfaction than the day when my signature makes this bill, too, the law of this land.

He did not imagine that signing laws, alone, ensured freedom. He cited Winston Churchill who had said “of another triumph for freedom” that it “is not the end. It is not even the beginning of the end. But it is, perhaps, the end of the beginning.” To carry on the fight, he announced that he planned to call a White House conference in the fall “of scholars, and experts, and outstanding Negro leaders—men of both races—and officials of Government at every level.” The theme would be “To Fulfill These Rights”:

Its object will be to help the American Negro fulfill the rights which, after the long time of injustice, he is finally about to secure.
To move beyond opportunity to achievement.
To shatter forever not only the barriers of the law and public practice, but the walls which bound the condition of many by the color of his skin.
To dissolve, as best we can, the antique enmities of the heart which diminish the holder, divide the great democracy, and do wrong—great wrong—to the children of God.

He concluded his address with a biblical reference that reflected his hopes for the conference:

The Scripture promises: “I shall light a candle of understanding in thine heart, which shall not be put out.”

Together, and with millions more, we can light that candle of understanding in the heart of America.

And once lit, it will never again go out.

The Senate and House versions of the Voting Rights Act were similar, but the House had included an outright ban on poll taxes as a condition for voting in State and local

elections. The Senate had considered a similar ban but had defeated it narrowly (49 to 45). The Administration and the chief author of the Senate bill, Senator Everett M. Dirksen (R-Ill.), had opposed an outright ban because they feared, as Kenworthy explained, “it might be difficult to assemble evidence to prove that the poll tax had, in every instance, been used to prevent Negro registration.” That exposed the provision to the risk that a court would find the ban unconstitutional. Dirksen and the Administration had agreed to include a declaration in the Senate bill that the poll tax was an abridgement of the constitutional right to vote, along with a provision directing the Attorney General to proceed “forthwith” to test the constitutionality of the poll tax.

The Administration hoped the House would accept the Senate bill, substituting it for the House bill, still in the Judiciary Committee, thereby avoiding the need for a conference committee that would include powerful Southern opponents. A compromise bill would have to pass the Senate again, and face resistance from the Southerners, but also from Senator Dirksen and others who opposed the poll tax provision.

The House would take longer than the President hoped, and approval came with its share of drama. Before approving its bipartisan version of the bill, the House rejected a substitute bill supported by Republican leaders, including Minority Leader Gerald R. Ford (R-Mi.) and Representative William M. McCullough (R-Oh.), who had drafted the alternative. They considered their bill less repugnant than the Administration bill reported out by the Judiciary Committee. Kenworthy described the main difference:

The McCullough bill would have allowed the dispatch of Federal registrars to a voting district upon the receipt of 25 meritorious complaints of discrimination. Literacy tests would have been waived for those with a sixth-grade education, but retained for those without it.

The House rejected the substitute, 215 to 166, and a later Republican bill, 248 to 171, that would have recommitted the Administration bill to committee with instructions to report back a Republican substitute.

Finally, the House passed the Voting Rights Act, 333 to 85, on July 9. Those voting for the bill included 221 Democrats and 61 Republicans, while 61 Democrats and 24 Republicans voted against it. Twenty-one Southern Democrats voted for the bill along with one Southern Republican, William C. Cramer of Florida. [Kenworthy, E. W., “Democratic Bill on Voting Passed by House, 333-85,” *The New York Times*, July 10, 1965]

White House Press Secretary Bill Moyers said he had never seen President Johnson more elated than he was after House passage of the bill. In a statement, the President said:

That bill is not only a monument to this Congress, it is a shining moment in the entire history of the United States Congress.

The President pledged that his Administration would be ready with full enforcement upon final passage of the legislation:

But it is a vital step. It is an important addition to the sum of rights and obligations we call freedom. And, perhaps more importantly, it enriches the life of every one of us—white and black. For men are fully free only in the company of the free. And thus, today, we can all be a little prouder to be Americans.

The primary difference between the Senate and House versions involved the poll tax. A Conference Committee consisting of six members of the House Judiciary Committee and five members of the Senate Judiciary Committee would have to resolve this and other differences in putting the final bill together.

As late as July 27, the conference was deadlocked on a proposal to substitute the Senate version of the poll tax provision for the version that had passed in the House overwhelmingly. On July 28, Attorney General Katzenbach contacted Dr. King in Cleveland, as Branch explained:

The voting rights bill was likely to remain stuck unless key representatives on the House-Senate conference—chiefly [Democratic Representatives] Harold Donohue of Massachusetts and Peter Rodino of New Jersey—accepted assurance that civil rights supporters could retreat honorably from a poll tax amendment the House had added July 9 over the Johnson Administration’s opposition. Katzenbach agreed to substitute [the Senate version] and King agreed . . . that Katzenbach could quote his exact appraisal of the compromise ending, “I am confident that the poll tax provision of the bill—with vigorous action by the Attorney General—will operate finally to bury this iniquitous device.” He agreed also that Katzenbach could call final enactment of the voting rights law his “overriding goal.”

Katzenbach sent a “confidential” letter to the conference chairman, Representative Celler, outlining the Administration’s position and Dr. King’s support for the Senate compromise language. Donohue and Rodino, after seeing the letter, agreed to switch their votes to support the Senate language, thus breaking the deadlock. [*Canaan*, p. 270]

When word of the letter leaked, some Southerners expressed shock, but their views had little effect on the outcome. On August 3, the House approved the Conference version of the bill, 328 to 74 – 217 Democrats and 111 Republicans voted for the bill, while opponents included 54 Democrats and 20 Republicans. The following day, the Senate approved the bill, 79 to 18.

President Johnson was so excited that he headed to the Capitol to thank Senate Majority Leader Mike Mansfield (D-Mt.) and Minority Leader Dirksen personally. They met in

Senator Dirkson's office. The President told reporters:

I regard the cooperation and the effort of these two leaders in behalf of the bill as one of the most outstanding patriotic and selfless things I have ever seen, and the whole world ought to revere them for it. ["Voting Right Bill Sent to Johnson," *The New York Times*, August 5, 1965, no byline]

He was eager to sign the bill and wanted to do so in a setting with historic significance for African-Americans' long struggle for civil rights. He chose the Capitol Rotunda for a speech prior to the signing, which would take place in the "President's Room" just off the Senate chamber:

In this gorgeously painted and gilded room, widely considered the most beautiful and certainly the most ornate in the Capitol, Presidents from Abraham Lincoln through Mr. Hoover signed bills that had passed Congress during the last hours of the session.

On the same green, baize-covered table, exactly 104 years ago tomorrow [August 6], President Lincoln signed a bill giving freedom to slaves "employed by Confederates in carrying on the civil war." There, too, Lincoln refused to sign the punitive Wade-Davis Reconstruction bill. [Robertson, Nan, "President to Sign Voting Bill Today," *The New York Times*, August 6, 1965]

On Friday, August 6, 1965, President Johnson and his entire Cabinet drove to the Capitol by motorcade at noon. He went first to Speaker McCormack's office, where Vice President Humphrey, congressional leaders, and invited guests awaited the President's arrival. The guests included Dr. King, John Lewis, Roy Wilkins, and James Farmer. Rosa Parks was there, too, and Vivian Malone, the first African-American to enter the University of Alabama at Tuscaloosa.

Led by the President, the group walked to the Capitol Rotunda for the President's remarks. His lectern had been placed in front of a model of Gutzon Borglum's head of Lincoln on Mount Rushmore and a statue of Lincoln by Vinnie Ream. (Ms. Reams, a sculptor from Wisconsin, had created the statue on commission from the government. It was dedicated in January 1871 when Ms. Reams was 23 years old.)

The President began with a bit of history, noting that "the first Negroes arrived at Jamestown" three and a half centuries earlier:

They did not arrive in brave ships in search of a home for freedom They came in darkness and them in chains. And today we strike away the last major shackle of those fierce and ancient bonds. Today the Negro story and the American story fuse and blend.

He described efforts over the years to remove the shackles, then said:

And then last March, with the outrage of Selma still fresh, I came down to this Capitol one evening and asked the Congress and the people for swift and for sweeping action to guarantee to every man and woman the right to vote. In less than 48 hours I sent the Voting Rights Act of 1965 to the Congress. In little more than 4 months the Congress, with overwhelming majorities, enacted one of the most monumental laws in the entire history of American freedom

There were those who said this is an old injustice, and there is no need to hurry. But 95 years have passed since the 15th amendment gave all Negroes the right to vote.

And the time for waiting is gone.

He recognized that years of “outward walls” and “inward scars” would be difficult to overcome:

We must all now help to end them—help to end them through expanding programs already devised and through new ones to search out and forever end the special handicaps of those who are black in a Nation that happens to be mostly white.

So, it is for this purpose—to fulfill the rights that we now secure—that I have already called a White House conference to meet here in the Nation's Capital

It is difficult to fight for freedom. But I also know how difficult it can be to bend long years of habit and custom to grant it. There is no room for injustice anywhere in the American mansion. But there is always room for understanding toward those who see the old ways crumbling. And to them today I say simply this: it must come. It is right that it should come. And when it has, you will find that a burden has been lifted from your shoulders, too.

It is not just a question of guilt, although there is that. It is that men cannot live with a lie and not be stained by it.

He concluded:

Thus, this is a victory for the freedom of the American Negro. But it is also a victory for the freedom of the American Nation. And every family across this great, entire, searching land will live stronger in liberty, will live more splendid in expectation, and will be prouder to be American because of the act that you have passed that I will sign today.

Following his speech, President Johnson and the crowd moved to the Senate side of the Capitol:

More than 100 persons crowded in to [the President's room] to watch the signing with multiple pens.

The green baize-covered walnut table—known as the “Lincoln table”—that occupies the center of the room had been pushed aside and replaced with a small, simple desk, also covered in green baize.

There is some dispute whether Lincoln used this desk or the “Lincoln table” when he signed the bill freeing slaves forced into the service of the Confederate Army.

But the desk had a personal meaning for the President; because it was this desk that he used as majority leader, and it was from this desk that he guided through the Senate the 1957 and 1960 civil rights acts.

As the President signed the bill, he handed pens to Vice President Humphrey, Senator Dirksen, other congressional leaders, and to the civil rights leaders, including Parks and Malone. [*Canaan*, p. 276-277; Kenworthy, E. W., “Johnson Signs Voting Rights Bill, Orders Immediate Enforcement; 4 Suits will Challenge Poll Tax,” *The New York Times*, August 7, 1965]

The Voting Rights Act of 1965 was law.

(On July 3, 1990, President George H. W. Bush signed Public Law 101-321, the Selma to Montgomery National Trail Study Act of 1989. John Lewis, one of the marchers and now a Member of Congress, had introduced the Act, which called for the National Park Service to study designation of the route of the march as a National Trail. In Section 2, the Congress found that:

The designation of the route of the march from Selma to Montgomery as a national historic trail will serve as a reminder of the right and responsibility of all Americans to fully participate in the election process. It will serve as a reminder that we must be ever vigilant in securing our right to vote. It will also give long overdue recognition to the men and women who have sacrificed so much for, and dedicated their lives to, voting rights for all Americans.

This action was completed by the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), which President Bill Clinton signed on November 12, 1996. It established the Selma to Montgomery National Historic Trail.

In 1996, the U.S. Department of Transportation designated the Selma to Montgomery March Scenic Byway an All-American Road under the National Scenic Byways Program. An All-American Road is considered a destination unto itself, one that provides an exceptional traveling experience that is so recognized by travelers that they would make a

drive along the highway the primary reason for their trip. By itself, the trip by car along U.S. 80 from Selma to Montgomery takes only about an hour, but the byway has become part of a Civil Rights pilgrimage of sites that played in a significant role in these years of struggle.)

March Against Fear

A week after President Johnson signed the Voting Rights Act, the Nation received a jolt in the Watts section of Los Angeles. Author Rick Perlstein summarized how it began:

The spark came at the corner of 116th and Avalon. Two black men, brothers, were stopped by a California highway patrolman at 7:19 p.m., the driver under suspicion of drunkenness. The three scuffled; a crowd gathered. Their mother came out from her house to quarrel with the cops, then another woman joined the fight. The crowd thought the second woman was pregnant (she was wearing a barber's smock). When the cops struck the second woman—kicking a pregnant woman in the stomach?—the mob surged as one. By ten fifteen several hundred Watts residents were on the street, throwing things at white car passengers, staving in store windows, looting. Police tried to seal off the immediate area. But things had already spiraled out of control. [Perlstein, Rick, *Nixonland: The Rise of a President and the Fracturing of America*, Scribner, 2009, p. 9-10]

The riot lasted 5 days (August 11 through 15) and resulted in 34 deaths, over 1,000 injuries, and nearly 4,000 arrests. It shocked the State and the Nation. Its causes would be debated and its meaning for America examined, with opposite reactions from left and right, at all levels of government, in academia and the media, as well as within the Civil Rights Movement. Some wanted to understand the problems that prompted the residents to riot; others wanted to use stronger force to clamp down on the rioters.

The Watts Riots were a turning point that would shift the Civil Rights Movement away from the nonviolent protests that Dr. King used to initiate the creative tension that could lead to solutions. Radical, even violent leaders would grow increasingly influential as riots hit other cities in coming years. These new leaders began to see Dr. King as a relic of an earlier era when it was possible to imagine a society where whites and African-Americans could be coaxed by nonviolent principles to live together in harmony. Opposition to the Vietnam War, in which African-Americans experienced disproportionate combat-related deaths, added to this new vision of violent revolt – and the impression that the Nation was coming apart at the seams.

The transformation would become clear after the White House staged its long-delayed Conference on “To Fulfill These Rights.” The 2-day conference opened on June 1, 1966, at the Sheraton-Park Hotel in Washington under the co-chairmanship of A. Philip Randolph and Ben W. Heineman, Chairman of the Board of the Chicago and Northwestern Railway Company. The 2,400 delegates included Dr. King, CORE Director Floyd B. McKissick, Executive Director Whitney M. Young, Jr., of the National Urban League, Walter Reuther of the United Automobile Workers, and NAACP

Executive Secretary Roy Wilkins. The White House had sought a diverse mix of delegates with an emphasis on moderates.

The conference was, as Branch put it, “born a living anachronism,” based on ideas that were not accepted by a new generation of African-American leaders. SNCC, for example, refused to participate. Stokely Carmichael, who had replaced John Lewis as chairman just the month before, was taking the organization away from the ideas that Lewis and his mentor, Dr. King, advocated. Instead of participating in the White House Conference, SNCC members picketed outside the hotel with signs greeting delegates with sentiments such as: SAVE US FROM OUR NEGRO LEADERS, and UNCLE TOMS!. When Dr. King arrived, protesters called out “Black Jesus!” in derisive tones. [*Canaan*, p. 471]

In remarks at 10 p.m. on June 1, the President recalled his Howard University address announcing his plan for the conference. He said, “And now you have come tonight from every region of this great land, from every walk of life, to play your part in this momentous undertaking and in this great adventure.” He added:

You are here because you represent the humane and the progressive spirit of our people. Through two centuries of trial and triumph that spirit has moved the American democracy from an ideal to a powerful reality.

You are here tonight because your country needs your collective judgment. The dilemma that you deal with is too deeply rooted in pride and prejudice, too profound and complex, and too critical to our future for any one man or any one administration to ever resolve

So you are here, finally, because in your variety of background and circumstance you symbolize those who have a stake in including the Negro American in our society. And that is everybody—Negro and white, rich and poor, manager and worker, city dweller and suburbanite.

Government could not solve the problems alone, nor could individuals wall themselves off from the effects of widespread poverty and discrimination.

He acknowledged that in its first day, the conference had seen considerable dissention among delegates. At the same time, he said, the conference had seen “a lot of people that are plowing the furrows that are going to come up with constructive ideas, with vision, and with a platform that will bring a lot of people into agreement on goals that we have yet to achieve.”

African-Americans were 11 percent of the population and held 15 percent of Federal jobs. “We are not satisfied that we have attained equal and exact justice and equal employment, but I have been working at it very diligently for 5 years.”

In closing, he noted that Presidents rarely introduce other speakers, but he was making an exception for “one who 12 years ago established in the field of civil rights a beachhead from which we shall never retreat.” He continued:

Since that day, he has already occupied two great offices—distinguished Justice of the Court of Appeals, and tonight a great Solicitor General of the United States of America I am very proud that he serves my administration. I am very proud that his is the voice of the people of all the United States before the highest and greatest court of this land. And nothing, I think, could be really more appropriate than that this man should speak to the first great national conference that has ever been called to really consider the rights and the opportunities of Negro Americans.

He introduced Thurgood Marshall, who had led the team before the Supreme Court in *Brown vs. Board of Education*. He had become Solicitor General in August 1965, the first African-American to hold the post.

Marshall’s remarks would offend Dr. King by championing the fight for justice in the courts rather than through nonviolent protest. “I submit that the history of the Negro demonstrates the importance of getting rid of hostile laws, and seeking the security of new friendly laws.” Privately, Dr. King was used to Marshall’s criticism, such as calling him “a boy on a man’s errand.” Marshall made clear in private that he saw Dr. King’s “missionary marches as a nuisance,” as Branch summarized the Solicitor General’s view. However, Marshall’s public words especially stung as he added to the growing evidence that Dr. King was becoming isolated and irrelevant. [*Canaan*, p. 472-473] Dr. King spent much of the conference, particularly the second day, in his hotel room.

The conference ended the following day after moderate voices blocked contentious disputes on the Vietnam War initiated by McKissick and his allies. At one point, James M. Nabrit, Jr., Deputy Representative to the United Nations, ruled a Vietnam resolution out of order, saying, “I don’t want to put that albatross around the civil rights movement.”

The conference—marked by angry debates on Vietnam, politicians trying to advance their careers, and widening divisions among African-Americans—resulted in more than 100 pages of recommendations, including calls for new public works programs, guaranteed employment, and initiatives in education, housing, and justice. [Herbers, John, “Rights Conference Averts Showdown on War Policy,” *The New York Times*, June 3, 1966]

Amid the controversies of the conference, reporters barely noticed a banner hung in the Sheraton-Park press room declaring that the “World Committee for Preservation of James Meredith” would sponsor a “March Against Fear.” Meredith, a Mississippi native and U.S. Air Force veteran (1951-1960), had been the first African-American to attend the University of Mississippi. It took a Supreme Court ruling, negotiations with Governor Barnett, intervention by Attorney General Robert Kennedy, and protection by U.S. marshals, but Meredith had begun attending on October 1, 1962. Riots cost two lives,

left 160 soldiers and 26 marshals injured. Meredith was harassed through his two semesters, but by 1966, he had transferred to Columbia Law School in New York.

Beginning on June 5, he planned to conduct a 220-mile “March Against Fear” from Memphis, Tennessee, to Jackson, Mississippi, to inspire the State’s African-Americans to register to vote and conquer their fear about living and traveling in Mississippi. “Nothing can be more enslaving than fear,” he told reporters. “We’ve got to root this out.” Unlike the carefully planned Voting Rights March the year before, the March Against Fear consisted of James Meredith and anybody who felt like straggling along.

He left Memphis on Sunday, June 5, from the elegant Peabody Hotel on Union Avenue. *The New York Times* described his appearance:

He wore a yellow pith helmet and had exchanged the blue suit and button-down collar in which he arrived at the airport from New York this morning for a short-sleeved shirt and gray cotton trousers. He wore heavy-soled walking shoes. He carried an ebony walking stick with an ivory head.

He was accompanied by a few companions, including a 24-year old New York friend and a white Episcopal minister from Monroe, New York, but he had not tried to gather supporters for the march. “If anyone wants to go, it’s his business. But I want to make it clear that he’s on his own.” He had not made any arrangements for the march, but was hoping people along the way would provide food and shelter.

Three police cars accompanied him as he left downtown Memphis and headed toward U.S. 51. [Reed, Roy, “Meredith Begins Mississippi Walk to Combat Fear,” *The New York Times*, June 6, 1966]

Meredith reached the Mississippi border by evening, and was 14 miles along U.S. 51, near Hernando, when Aubrey Norvell, a 40-year old hardware contractor, emerged from the woods and fired his shotgun at Meredith. Norvell was arrested immediately by officers accompanying the March Against Fear, and Meredith was taken off for surgery in Bowld Hospital in Memphis to remove 70 shotgun pellets from his back and scalp. Reports of his death were inaccurate, but his injuries prompted civil rights leaders to decide to continue the march they had paid little attention to initially.

After visiting Meredith in the hospital, Dr. King, Reverend James Lawson, Floyd McKissick and 21 others resumed the march from the point of the shooting incident near Hernando. The marchers included Stokely Carmichael, now the head of SNCC. Taylor Branch summarized the start:

King locked arms with Floyd McKissick and Stokely Carmichael . . . before a line of Mississippi state troopers confronted them at the top of the first gentle hill with orders to get off the pavement. King blinked with surprise, and called for protection instead, but the troopers resolutely shoved him aside with the others. “We walked from Selma to Montgomery in the middle of the road,” he protested

to no avail, stumbling backward. Troopers knocked Cleveland Sellers [a 22-year old SNCC leader] to the ground. Carmichael lunged toward the most aggressive one, but King kept his arm crooked tightly with an elbow and called out for help. [*Canaan*, p. 476-477]

That evening, camped in a pasture, Carmichael apologized to Dr. King for his violent outburst. Carmichael, born in New York City, had joined the movement while attending Howard University in June 1961 when as noted earlier, he joined Freedom Riders on the Illinois Central Railway from New Orleans. Arsenault said of Carmichael:

With his strong views and sharp tongue, he could be an unsettling influence, and his challenge to what he viewed as a misguided faith in Gandhian sacrifice often irritated Lewis and others. [*Freedom Riders*, p. 311-312, 362]

On June 14, as the marchers approached Grenada, about halfway to Jackson, they walked over crude Klan signs painted on U.S. 51. The news service UPI described the marchers:

This march has become part movement, part circus. Among the 350-odd marchers . . . are about 50 white youths who wear T-shirts and denims, sandals and weird cowboy hats adorned with Freedom buttons “This is a great assembly of kooks,” said a Mississippi Highway patrolman. Most newsmen agreed. [*Canaan*, p. 483]

They clapped, sang, and danced across the Yalobusha River Bridge into Grenada. They marched along Pearl Street, with Highway Patrol keeping white hotheads away:

Floyd McKissick of CORE tested the meaning of strange new signs that changed the dual public restrooms for both sexes from “white” and “colored” to “No. 1” and “No. 2.” Pointing to the Grenada County courthouse, he cried, “We’re going over to the toilets marked ‘No. 1,’ and see if it ain’t a little better.” Long lines quickly spilled across the lawn unmolested.

Marchers helped 200 African-Americans register to vote. [*Canaan*, p. 484]

The following day, the march departed from U.S. 51 to follow State Route 7 toward Greenwood, while Dr. King drove to Charleston and Winona for registration rallies. (On the 15th, he left the march to return to Chicago where he was leading efforts to promote open housing.)

By then, Mississippi officials had seen enough. Governor Paul Johnson called the march “a voter registration campaign.” He reduced the police protection from 20 cruisers to four and told local jurisdictions to take over. “We aren’t going to wetnurse a bunch of showmen all over the country.”

In Greenwood, where Carmichael had lived and been jailed in 1964, the marchers planned to camp on the grounds of Stone Street Negro School, but police questioned their authority. After arguing with the police, Carmichael was arrested:

In Greenwood, where the morning *Commonwealth* warned against King as a hate-monger “who can be compared to Josef Stalin and Mao Tze Tung,” local officials thought better of dispersing his hordes. They reversed themselves to allow the school campsite, which added jolts of vindication to the mass meeting that night. [SNCC official] Willie Ricks guided Carmichael to the speaker’s platform when he made bail, saying most of the locals remembered him fondly. “Drop it now!” [Ricks] urged. “The people are ready.”

He was referring to a line of argument Carmichael had been using in private meetings with SNCC leaders:

Carmichael faced an agitated crowd of six hundred. “This is the 27th time I have been arrested,” he began, “and I ain’t going to jail no more!” He said Negroes should stay home from Vietnam and fight for black power in Greenwood. “We want black power!” he shouted five times, jabbing his forefinger downward in the air. “That’s right. That’s what we want, black power. We don’t have to be ashamed of it. We have stayed here. We have begged the president. We’ve begged the federal government—that’s all we’ve been doing, begging and begging. It’s time we stand up and take over. Every courthouse in Mississippi ought to be burned down tomorrow to get rid of the dirt and the mess. From now on, when they ask you what you want, you know what to tell ‘em. What do you want?”

The crowd shouted, “Black Power!” Willie Ricks sprang up to help lead thunderous rounds of call and response: “What do you want?” “Black Power!” [Canaan, 486]

Dr. King returned on June 17 to continue with the march along Route 7, but the new phrase was on the minds of marchers and onlookers. As the marchers approached Belzoni, a reporter asked Carmichael, “What do you mean when you shout black power to these people back here?”

“I mean,” Carmichael replied, “that the only way that black people in Mississippi will create an attitude where they will not be shot down like pigs, where they will not be shot down like dogs, is when they get the power where they constitute a majority in counties to institute justice.”

“I feel, however,” King interjected, “that while believing firmly that power is necessary, that it would be difficult for me to use the phrase black power because of the connotative meaning that it has for many people.” Carmichael walked alongside, hands clasped behind his back with beguiling pleasantry. [Canaan, p.

487]

This brief moment on Route 7, with Dr. King trying to redirect the words of his young ally, marked a changing of the guard, as Dr. King's nonviolent philosophy began to fade into the past of the Civil Rights Movement. He would remain active, but Black Power would overtake the movement while he looked for new challenges to match his past successes.

On June 21, Dr. King, Reverend Abernathy, and 20 others left the March Against Fear to participate in a memorial march for Andrew Goodman, James Chaney, and Mickey Schwerner from Mt. Nebo Baptist Church to the Neshoba County Courthouse in Philadelphia, Mississippi. The three had been murdered while participating in Freedom Summer, a 1964 project to register voters and aid poor residents. After investigating the burning of Mt. Zion Methodist Church, they were arrested by Neshoba County Deputy Sheriff Cecil Price for alleged speeding. After being released that evening, they were driving in their Ford Fairlane station wagon back to their base in Meridian when they were overtaken by two carloads of Klan members who murdered them in brutal fashion on June 21 and buried the bodies.

A national outcry at their disappearance forced the FBI to take a strong hand in locating the three. On June 23, while white leaders tried to diminish the outcry by claiming that the disappearance was a publicity stunt, an FBI agent raced along State Route 19 from Meridian to Philadelphia in response to a tip about the station wagon. He found the burned out vehicle, minus the workers' bodies, in a thicket 80 feet off the highway beyond the bridge over Bogue Chitto Creek. Again in response to a tip, the FBI found the bodies on August 3 buried beneath an earthen dam on a farm 5 miles southwest of Philadelphia. [*Canaan*, p. 361-366, 434]

(In October 1967, a jury found Price and six codefendants guilty of the murders, while finding seven others not guilty and deadlocking on three of the defendants.)

At the commemoration, Dr. King addressed participants amid jeers from white bystanders. He said, "I want them to know that we are not afraid. If they kill three of us, they will have to kill all of us. I am not afraid of any man, whether he is in Michigan or Mississippi, whether he is in Birmingham or Boston." As the group began the return march, the white bystanders attacked with stones, bottles, clubs, fists, and shouts. The police held them back until some of the marchers began to fight back. That night, white marauders drove through African-American neighborhoods spraying homes with gunfire.

Returning to the March Against Fear, now on U.S. 49, at Yazoo City, Dr. King found that the incident in Philadelphia had revived debate over strategy. Many thought that if they were going to die for the cause, they should go down fighting. Dr. King explained the

futility of violence in a society where African-Americans were only about 10 percent of the population. He added:

I am not going to allow anybody to pull me so low as to use the very methods that perpetuated evil throughout our civilization. I'm sick and tired of violence I'm tired of evil. I'm not going to use violence no matter who says it!

He threatened to leave the March Against Fear if inflammatory rhetoric continued. [*Canaan*, p. 489]

Given the threat of violence, President Johnson had contacted Governor Johnson, who assured that the marchers would be protected with additional units of the Mississippi Highway Patrol. The President sent a telegram to Dr. King saying Assistant Attorney General Doar would remain with the marchers as they left Yazoo City to walk on State Route 16 to Canton where they would intersect U.S. 51.

By June 23, when Dr. King received the telegram, the marchers were 20 miles from Jackson, their ranks growing as the end came near. They prepared to camp on the grounds of McNeal Elementary School for Negroes. With a permit dispute as a pretext, a Highway Patrol commander used a megaphone to tell the crowd, "You will not be allowed to erect the tents. If you do, you will be removed."

Dr. King addressed the marchers, telling them, "we aren't going to fight any state troopers," but then handed the microphone to Carmichael who incited the crowd. "The time for running has come to an end!" he shouted.

With the crowd cheering his confrontational speech, the patrolmen began shooting tear gas. "Nobody fight back," Dr. King shouted. "We're going to stand our ground." As marchers tried to find cover or get away from the tear gas, the patrolmen charged into the crowd, kicking and clubbing. They impounded the tents and cleared the field, including a dozen unconscious marchers who had not been fast enough to get out of their way. In the onslaught, Carmichael had collapsed.

CBS News correspondent John Hart caught up with Dr. King, who was wiping his eyes as Ricks pulled him to safety. "In light of this, Dr. King," Hart asked, "have you rethought any of the philosophy of nonviolence?" Dr. King again endorsed nonviolence. "How could we be violent in the midst of a police force like that?"

Marchers straggled to a church to review the evening's events. Dr. King addressed them, but his remarks were less assured than usual. He referred to the telegram he had received from the President referring to the Governor's assurances of safety:

"And the very men that tear gassed us tonight," said King, "are the men that we are told will be our protectors." Catching himself, he veered into a strangely subdued reverie: "You know, the one thing I have learned . . . on this march is that it is a shame before almighty God that people earn as little money as the

Negro people of Mississippi. You know the story.” He spoke of the humbling, bonding effect of seeing faces in desperation so closely. [*Canaan*, p. 490-491]

While the marchers regrouped on Friday, June 24, Dr. King returned to Philadelphia where he confronted a crowd of 2,000 angry white Mississippians. With Carmichael, McKissick, and Ricks standing by, Dr. King told his supporters that the people who brutalized them thought that would stop them, “But we are right here today standing firm, saying we are gonna have our freedom.” The whites yelled and threw eggs and bottles, but Dr. King’s supporters escorted him safely to Mt. Nebo Baptist Church.

Leaders wrangled over unpaid bills and the agenda for the next day’s rally, but Dr. King and others tired of the battles. “I’m sorry, y’all,” he told them. “James Brown is on. I’m gone.” He and Carmichael headed to Tougaloo College football field for a freedom concert by the soul star. Singer Harry Belafonte had arranged the concert, with Sammy Davis, Jr., and actor Marlon Brando involved in the festivities. Freedom Rider Jim Peck was there. He tried to reach Dr. King to discuss the ongoing purge of white members from CORE, but could not get through the crowd. Peck managed to get a note to him indicating that “despite the dirt deal I have received from CORE, I am still with The Movement.” [*Canaan*, p. 491-492]

On Sunday, June 26, 15,000 marchers assembled in Tougaloo for the 8-mile march into Jackson. They made it safely to the State Capitol:

The closing rally gathered at the “rear” plaza of the state capitol, because Highway Patrol officers in gas masks, backed by National Guard with bayoneted M-1 rifles, sternly blocked the southern front where Mississippi governors traditionally took office near a goddess statue to Confederate womanhood.

The closing speeches, according to Branch, were “disjointed” and “wilted in the heat.” He said:

James Meredith, healed enough to make cantankerous public comments about the reshaped march (“The whole damn thing smells to me”), mis-introduced “Michael” Carmichael, who called upon black soldiers to resist “mercenary” service in Vietnam and declared, “Number one, we have to stop being ashamed of being black.”

Dr. King, confronting the end of a march that he considered a mistake, spoke in part on the parable in Luke 16:19-31 about the rich man Dives who took his rewards in his lifetime while failing to notice the poor man Lazarus who received his in the afterlife. Dr. King used this parable to illustrate the need for America, the richest Nation in the world, to bridge the gulf between the haves and the have-nots. [*Testament*, p. 274] He also improvised on his I Have a Dream theme (“that one day the empty stomachs of Mississippi will be filled, that the idle industries of Appalachia will be revitalized”). [*Canaan*, p. 493]

The reporters watching the finale, with its recap of the Dream speech, could see that Dr. King was fading as a leader. They had been drawn to the last day of the Meredith march by Dr. King's name, but his remarks seemed tired compared with the presence of the new leader, Stokely Carmichael, and his revolutionary new rallying cry, "Black Power!"

As if to emphasize Dr. King's falling status, the White House took no action on his complaints about police abuses during the march. The President, according to a deputy press secretary, had "no specific reaction" to the abuses.

The march that James Meredith had begun without planning or clear purpose ended without achieving any goal except its conclusion. But it had elevated Stokely Carmichael to a national spotlight along with the phrase Black Power that some African-American leaders, including Carmichael, would use as a rallying cry for the violence that Dr. King had opposed his whole life.

The Poor People's Campaign

Dr. King's campaigns since the Voting Rights March had been frustrating as he searched for a new theme that would reenergize his supporters and convince them to follow his nonviolent path. Further, his objections to the Vietnam War diverted attention from his civil rights efforts. Increasingly, Black Power advocates saw him as irrelevant to their more strident demands to pull down the white power structure with revolution.

Even as the Civil Rights Movement was transforming into a Black Power Movement, Dr. King began planning his most ambitious campaign in fall 1966.

He had taken his movement into the North in 1966 by launching the Chicago Freedom Movement to secure compliance with the open housing provision of the Civil Rights Act of 1964. His initial tactic of stirring speeches and marches seemed to have no effect on the one official who counted, Mayor Richard J. Daley.

That summer, in 100-degree temperature, a riot broke out when city workers turned off fire hydrants that residents had turned on, as they had for years, to give their children something cool to enjoy. The riot continued for several days before Mayor Daley turned the hydrants back on, even attaching sprinklers to them, and brought in portable pools. With the problem solved, Mayor Daley saw no need to address housing issues.

Dr. King announced that he would take his marchers out of downtown and into white neighborhoods, initially into Gage Park on the city's Southwest Side. Many of the white residents had moved to the area after African-Americans moved into their former neighborhoods. They came out for the march to heckle the protesters, creating news when Dr. King was hit in the head with a rock. Another march, through the bungalow neighborhood of Cragin in Northwest turned ugly as angry whites tried to get at the marchers and the police used clubs to hold them back.

Dr. King announced plans for more marches in white neighborhoods, at least one a day, maybe more. In a biography of Mayor Daley, *Chicago Tribune* columnist Mike Royko wrote:

The white neighborhoods were furious, and much of their anger was directed at Daley. He had given rioting blacks swimming pools, now the police were beating home-owning whites.

At last, Dr. King's nonviolent tactics had brought about the creative tension that usually led to breakthroughs. While seeking an injunction to limit the marches, Mayor Daley called for a "summit conference" with civil rights leaders. At the conference in a Protestant church, Mayor Daley began making concessions. He agreed to establish a subcommittee of participants to work out the details of an agreement. He and Dr. King signed the agreement 8 days later in August 1966. "It is the first step in a thousand-mile journey," Dr. King proclaimed, while Mayor Daley said he was satisfied the people of Chicago would accept the agreement. But as Royko pointed out:

It was an impressive document, chock full of noble vows and promises. It was also without legal standing and wasn't worth the paper it was printed on. Only three months after it was signed, when the crisis was over, Alderman [Thomas] Keane said at a City Council meeting that, "There is no Summit Agreement," and the people who took part in the meeting had merely agreed that open housing was "a goal to be reached," but there was no agreement beyond that.

He could say it then. The snow had fallen, Dr. King was back home in the South, the marches had faded into memory. [Royko, Mike, *Boss: Richard J. Daley of Chicago*, E. P. Dutton and Company, 1971, p. 149-154]

Now, in the fall, Dr. King was inspired to launch a new campaign based on the Bonus Army of 1932. Veterans of World War I had been promised a bonus payment in 1945 in thanks for their service, but at the height of the Depression, unemployed veterans traveled from all over the country to demand immediate payment of the bonus in 1932. After their shantytown encampment in Washington embarrassed President Herbert Hoover, troops under the command of General Douglas MacArthur forced the Bonus Marchers out of their camp on July 28, 1932. (Congress approved payment of the bonus in 1936 over President Roosevelt's veto.)

With his SCLC leaders, Dr. King began to prepare a campaign for a similar nonviolent occupation of Washington. He explained it this way:

We ought to come in mule carts, in old trucks, any kind of transportation people can get their hands on. People ought to come to Washington, sit down if necessary in the middle of the street, and say, "We are here; we are poor; we don't have any money; you have made us this way; you keep us down this way; and we've come to stay until you do something about it." [*Nixonland*, p. 250]

The goal of the Poor People's Campaign would be to promote an Economic Bill of Rights that included full employment, a guaranteed annual income, and low-income housing. Dr. King estimated the cost at \$30 billion.

Validation of the goal would come from the Kerner Advisory Commission on Civil Disorders. In July 1967, President Johnson had appointed the 11-member commission, headed by Governor Otto Kerner, Jr., of Illinois, to investigate the riots that had rippled through the cities since Watts. The President asked the commission to answer three questions: "What happened? Why did it happen? What can be done to prevent it from happening again and again?" The report, issued on February 29, 1968, blamed the riots on the lack of economic opportunity and failed housing, education and social-service policies. "Our nation," the report said, "is moving toward two societies, one black, one white—separate and unequal."

To address the imbalance, the Kerner Commission recommended \$30 billion in new urban spending – the same amount Dr. King had set as the goal of the Poor People's Campaign. Dr. King described the Kerner report as showing how "the lives, the incomes, the well-being, of poor people everywhere in America are plundered by our economic system."

After announcing the campaign in November 1967, Dr. King traveled around the country to arrange for people to travel to Washington to demand the Economic Bill of Rights. At the same time, he had to convince his associates, some of whom objected that the demand was too vague to be attained or inconsistent with the new concept of Black Power.

By early 1968, the outline of the campaign was clear:

The plan, as it shaped up through early '68, was for the initial assault on D.C. to come on Eastertide: one hundred leaders lobbying for a government jobs or guaranteed income program. That failing, three thousand destitute Americans would "tent in" on the Mall. If that didn't get results, King imagined a "massive outpouring of hundreds of thousands of persons" the weekend of June 15. Civil disobedience had never been attempted on such a scale. To transform what he now called "a sick, neurotic nation" would require disruption as dramatic, as dislocative, as attention-getting as the riots without destroying life or property." "The city will not function," he'd told reporters after his testimony to the Kerner Commission. He spoke of similar demonstrations nationwide: "We got to go for broke this time." [*Nixonland*, p. 250]

While Dr. King, Reverend Abernathy, and their colleagues were planning the Poor People's Campaign, Congress was considering the Civil Rights Act of 1968 (also known as the Fair Housing Act). The House of Representatives had approved a version of the bill in 1967, but in an election year, Members of Congress were not eager to approve legislation that would affect white home owners around the country. The bill had been pending in the Senate since the first day of the session, January 15.

On March 11, the Senate passed its version of the bill, 71 to 20, only after an amendment had been approved on March 5, 82-13, aimed at outside agitators. Under the amendment, traveling across State lines or using radio, television, or other interstate facilities with intent to incite a riot would be a Federal crime with a maximum penalty of 5 years in prison and a \$10,500 fine.

Sponsors of the legislation hoped to convince the House to approve the Senate version rather than subject the legislation to the compromises of a conference committee. On March 19, the House Rules Committee voted to delay action until at least April 9, after the congressional recess for Easter. Supporters feared that the 3-week delay would give real estate interests and other opponents time to campaign against the bill. The delay also meant that the Senate bill would be considered just as Dr. King's Poor People's Campaign was getting underway.

Assassination of Dr. Martin Luther King, Jr.

While working on final details of the campaign, Dr. King had agreed to support a strike by Memphis sanitation workers who walked off the job on March 12, 1968, to secure better wages and working conditions. The dispute was a local labor dispute, lacking the larger civil rights implications that had characterized many of Dr. King's earlier campaigns.

When in Memphis, Dr. King always stayed in room 306 at the Lorraine Motel on the corner of Mulberry Street and Huling Avenue near downtown. It had opened in the 1920s as the Windsor, but was renamed the Lorraine when Walter and Loree Bailey bought it in 1942. During Jim Crow days, it was one of the few Memphis hotels in the city that accepted white and African-American guests. As a result, many African-American entertainers, including Nat "King" Cole and Louis Armstrong, stayed in the Lorraine while in the city even after the Jim Crow era had come to an end.

On March 28, while staying in room 306, he took a break from organizing the Poor People's Campaign to lead a march in Memphis along Beale Street onto Main. When marchers began to break windows and loot, Dr. King was whisked away. The following day, he led a second march kept peaceful by 4,000 National Guardsmen.

The incidents on March 28 raised questions about Dr. King's plans for the Poor People's Campaign. "We are fully determined to go to Washington," he said:

We feel it is an absolute necessity . . . Riots are here. Riots are part of the ugly atmosphere. I cannot guarantee that riots will not take place this summer. I can only guarantee that our demonstration will not be violent. [*Nixonland*, p. 251]

On March 31, President Johnson shocked the Nation by announcing he would not run for reelection:

With American sons in the field far away, with the American future under challenge right here at home, with our hopes and the world's hopes for peace in the balance every day, I do not believe that I should devote an hour or a day of my time to any personal partisan causes or to any duties other than the awesome duties of this office, the Presidency of your country.

He would initiate peace talks with North Vietnamese leaders.

His decision opened the Democratic nomination to Vice President Humphrey, former Attorney General Robert F. Kennedy, now representing New York in the Senate, and Senator Eugene J. McCarthy of Minnesota, who had been gaining momentum with anti-war forces. Political maneuvering and the approach to Hanoi absorbed media coverage.

On April 3, Dr. King addressed a rally at Mason Temple in Memphis in support of the sanitation workers' strike. He began by saying that if the Almighty allowed him to live in any period of history, he would tell the Lord, "If you allow me to live just a few years in the second half of the twentieth century, I will be happy." After listing the great periods of history, beginning with Ancient Egypt, he said of his choice, "Now that's a strange statement to make, because the world is all messed up." He explained:

But I know, somehow, that only when it is dark enough, can you see the stars. And I see God working in this period of the twentieth century in a way that men, in some strange way, are responding—something is happening in our world

And another reason that I'm happy to live in this period is that we have been forced to a point where we're going to have to grapple with the problems that men have been trying to grapple with through history, but the demands didn't force them to do it. Survival demands that we grapple with them.

He was referring not just to the struggle for civil rights, but for peace at a time when the Nation was fighting in Vietnam. Those in the struggle, he said, must stay together and must recall that in both cases, "The issue is injustice." He had come to Memphis where the injustice was the city's refusal "to be fair and honest in its dealings with its public servants, who happen to be sanitation workers." But the issue was always the same, whether dealing with Bull Connor in Birmingham or companies that discriminate against or hold back African-Americans.

"Let us develop," he said, "a kind of dangerous unselfishness." He illustrated this odd phrase with the parable of the Good Samaritan (Luke, 10:25-37). An expert in religious law tried to trick Jesus by asking him, "Teacher, what should I do to inherit eternal life?" Jesus asked the man what the law of Moses says on this subject. The man replied that people must love the Lord and their neighbor. "Right!" Jesus replied. The man asked Jesus, "And who is my neighbor?" Dr. King summarized the reply:

But Jesus immediately pulled that question from mid-air, and placed it on a dangerous curve between Jerusalem and Jericho. And he talked about a certain

man, who fell among thieves. You remember that a Levite and a priest passed by on the other side. They didn't stop to help him. And finally a man of another race came by. He got down from his beast, decided not to be compassionate by proxy. But with him, administered first aid, and helped the man in need. Jesus ended by saying, this was the good man, this was the great man, because he had the capacity to project the "I" into the "thou," and to be concerned about his brother.

(Dr. King did not note that in the time of Jesus, anyone hearing this parable would have known that the Samaritans and Jews were bitter enemies. So the Good Samaritan's actions were unexpected.)

"Now you know," Dr King said, "we use our imagination a great deal to try to determine why the priest and the Levite didn't stop." Perhaps, he speculated, they were headed for an ecclesiastical gathering and did not want to be late. Or perhaps a religious law prevented them from touching a human body 24 hours before the ceremony:

And every now and then we begin to wonder whether maybe they were not going to Jerusalem, or down to Jericho, rather to organize a "Jericho Road Improvement Association." That's a possibility. Maybe they felt that it was better to deal with the problem from the casual root, rather than to get bogged down with an individual effort.

But I'm going to tell you what my imagination tells me. It's possible that these men were afraid. You see, the Jericho road is a dangerous road. I remember when Mrs. King and I were first in Jerusalem. We rented a car and drove from Jerusalem down to Jericho. And as soon as we got on that road, I said to my wife, "I can see why Jesus used this as a setting for his parable." It's a winding, meandering road. It's really conducive to ambushing. You start out in Jerusalem, which is about 1200 feet above sea level. And by the time you get down to Jericho, fifteen or twenty minutes later, you're about 2200 . . . feet below sea level. That's a dangerous road. In the days of Jesus it came to be known as the "Bloody Pass."

Perhaps, he suggested, the priest and Levite were afraid the robbers were still around or that the injured man wasn't injured at all, but just a decoy to attract helpers who would be robbed:

And so the first question that the Levite asked was, "If I stop to help this man, what will happen to me?" But then the Good Samaritan came by. And he reversed the question: "If I do not stop to help this man, what will happen to him?"

That, in short, was why he was in Memphis on that day:

"If I do not stop to help the sanitation workers, what will happen to them?"
That's the question.

He told of an incident in New York City when a demented woman stabbed him in the chest. Based on the X-ray, he said, "It came out in the New York Times the next morning, that if I had sneezed, I would have died." He added, "I am happy that I didn't sneeze." If he had, he would not have been around in 1960 for the sit-ins at lunch counters. Or in 1963 in Birmingham, or on the National Mall to tell people of his Dream, or 1964 for the Civil Rights Bill. "If I had sneezed, I would not have been down in Selma, Alabama, to see the great movement there." And if he had sneezed, he would not be in Memphis "to see a community rally around those brothers and sisters who are suffering."

Friends and enemies had tried to discourage him from making the trip. "It really doesn't matter what happens now," his friends had told him. He got on the plane in Atlanta, and the flight was delayed to check all the luggage for bombs." He continued:

And then I got to Memphis. And some began to say the threats, or talk about the threats that were out. What would happen to me from some of our sick white brothers?

Well, I don't know what will happen now. We've got some difficult days ahead. But it doesn't matter with me now. Because I've been to the mountaintop. And I don't mind. Like anybody, I would like to live a long life. Longevity has its place. But I'm not concerned about that now. I just want to do God's will. And He's allowed me to go up to the mountain. And I've looked over. And I've seen the promised land. I may not get there with you. But I want you to know tonight, that we, as a people, will get to the promised land. And I'm happy, tonight. I'm not worried about anything. I'm not fearing any man. Mine eyes have seen the glory of the coming of the Lord. [*Testament*, p. 279-286]

That day, the sanitation workers were in court to secure a march permit, while a weary Dr. King debated leaders of the sanitation workers who wanted to adopt a violent approach. At the same time, he continued preparations for the Poor People's Campaign.

Around 5 p.m. on April 4, Dr. King received a report on the court proceedings. Later, he went on the motel balcony, joking with Dr. Abernathy, the Reverend Jesse Jackson, and other associates standing with him and in the parking lot below.

In a flophouse across the street, a drifter and petty criminal named James Earl Ray was waiting for Dr. King to stand still just for a second.

In early March, Ray had been in Los Angeles after driving around the country and into Mexico in his white Mustang. He had taken dance lessons and attended bartender's school. He had altered his appearance with a "nose job" and used an alias. On March 17, he hopped into his Mustang and drove to New Orleans at a leisurely pace. After delivering a box of clothes he had brought with him to a friend's family on March 22, he learned that Dr. King would be in Selma to recruit for the Poor People's Campaign.

Ray drove to Selma, staying in the Flamingo Motel. Dr. King left on March 23, as did Ray, driving through Birmingham to Atlanta. He drove to Bessemer, Alabama, about 10 miles outside of Birmingham on March 29, where he bought a .243-caliber rifle with a 2 x 7 Redfield scope and twenty rounds of ammunition. After a night at a nearby Travelodge Motel, Ray returned to the store to exchange the rifle for a Remington Gamemaster Model 760, .30-060 caliber rifle.

Although Ray's later accounts of his movements differed, he appears to have returned to Atlanta. On April 1, the SCLC announced that Dr. King was scheduled to be in Memphis to lead a march on Friday, April 5. On April 3, Ray took the 7-hour drive to Memphis, checking in at the New Rebel Motel on Lamar Avenue under one of his aliases. The following day, he drove to South Main Street and parked near the rooming house across from the Lorraine Motel. He rented room 5B. [The account of Ray's travels from Posner, Gerald, chapters 25 ("Memphis Bound") and 26 ("The Alibi"), *Killing the Dream: James Earl Ray and the Assassination of Martin Luther King, Jr.*, Random House, 1998]

At 6:01 p.m., on April 4, Ray finally got what he wanted. Dr. King stood still for a moment. Ray steadied his .30-'06 Remington and fired a shot into Dr. King's right cheek. He was pronounced dead an hour later, setting off riots in cities around the country.

Immediately after shooting Dr. King, Ray returned to his car and drove through Mississippi back to Atlanta. Fearful that police might be on the lookout for a white Mustang, he stayed on the side roads, adding time to what became an 11 hour drive. On April 5, he left the Mustang in the Capitol Homes housing project and took a bus to Cincinnati, arriving around 1:30 a.m. on April 5. By bus, he reached Detroit around 8 a.m. and took a taxi across the Ambassador Bridge into Windsor, Canada. He boarded a train for Toronto, where he stayed until April 22. From there, he took a bus to Montreal, hoping to find a way to England. The following day, he was indicted for the murder of Dr. Martin Luther King, Jr. On May 7, he took BOAC Flight 600 to London. [*Killing*, p. 237-246]

On June 8, Scotland Yard officers arrested Ray at London's Heathrow Airport while he was leaving an airliner bound from Lisbon, Portugal, to Brussels, Belgium. [*Killing*, p. 44-47] On July 18, he was taken aboard a C-135 U.S. Air Force jet for a flight to Millington Naval Air Base, 18 miles from Memphis. The flight left London in the dark of night and arrived in Tennessee in the dark of night to minimize not only press coverage but the threat of an attempt on Ray's life. With the fatal shooting of President Kennedy's assassin, Lee Harvey Oswald, in mind, the government wanted to avoid the shooting of another assassin before justice could be served. [*Killing*, p. 55-56] He confessed to his crime on March 10, 1969, and was sentenced to 99 years in prison. James Earl Ray died in 1998.

On April 16, the city and sanitation workers reached an agreement that included union recognition, dues checkoff, promotions based on seniority, and a 10-cent an hour wage increase on May 1 and a 5-cent increase on September 1. *The New York Times* quoted a garbage collector as saying, “We won, but we lost a good man along the way.” [Caldwell, Earl, “Sanitation Strike in Memphis Ends,” *The New York Times*, April 17, 1968]

The assassination prompted final action on the Civil Rights Act of 1968 (Fair Housing Act). On April 10, even as riots continued in American cities, the Capitol was surrounded by National Guard troops who had been summoned in the wake of riots in the city. The House approved the Senate version of the bill, 250 to 171, with Republicans providing enough support to ensure passage.

President Johnson signed the legislation on April 11 in the East Room of the White House. The bill, he said, “had a long and stormy trip” since he began promoting the idea in 1966. He recalled a meeting in April of that year during which Dr. King and other distinguished citizens assembled to hear the President read a message calling for effective legislation “against discrimination in the sale and the rental of housing.” Now, Dr. King was gone and the Nation was outraged at his loss and at the rioting that followed. However, “the voice of justice speaks again,” he said in reference to the new legislation:

We just must put our shoulders together So I would appeal to my fellow Americans by saying, the only real road to progress for free people is through the process of law and that is the road that America will travel

This afternoon, as we gather here in this historic room in the White House, I think we can all take some heart that democracy’s work is being done. In the Civil Rights Act of 1968 America does move forward and the bell of freedom rings out a little louder.

The new law expanded on the Civil Rights Act of 1964 by prohibiting property owners from refusing to rent or sell a dwelling based on race, color, religion, national origin, or gender. It prohibited many common practices, such as blockbusting and redlining, that had hindered housing progress and distorted city housing patterns by encouraging white residents to move to white housing in the suburbs. The final roadblock to passage had been eliminated when the bill was amended in Congress to make conspiring to cause a riot a Federal crime – the very action that Southern leaders had complained of for a decade.

Completing the Poor People’s Campaign

The future of the Poor People’s Campaign was uncertain until Reverend Abernathy, now president of the SCLC, announced on April 21 that it had been expanded into “the most massive and militant nonviolent movement in history.” Rallies and marches were planned around the country before caravans headed toward Washington, as described in *The New York Times*:

In the Deep South, Mr. Abernathy said that a wagon train with mule-drawn carts would proceed from state to state, picking up the poor and taking them to Washington. He said that the wagon train would pass through Mississippi, Alabama, Georgia, South Carolina, North Carolina and Virginia. [Caldwell, Earl, "Abernathy Plans a 'Massive' March," *The New York Times*, April 22, 1968]

Reverend Abernathy and a delegation of about 150 arrived in Washington to begin the campaign by presenting the Economic Bill of Rights to Cabinet-level officials and other government officials on April 29. He promised to return in 10 days for answers, but added, "it won't be just 150 of us like today but there will be 3,000." [Caldwell, Earl, "Campaign of Poor Begins in Capital," *The New York Times*, April 30, 1968] Abernathy testified the following day before the Senate Subcommittee on Manpower, Employment and Poverty, calling for legislation creating 2 million jobs.

Officials were concerned about what might happen during a gathering of protesters in Washington so soon after the riots following the assassination of Dr. King. At a news conference on May 3, the President expressed concern about the "many inherent dangers" in the plan and the hope that the demonstration would be brief to avoid "possibilities of serious consequences." On May 7, Members of Congress urged President Johnson to reach an agreement to limit the protest for fear of "militant advocates of violence who will swarm among the marchers' routes" to incite rioting and looting, as Senator John L. McClellan (D-Ar.) put it. [Franklin, Ben A., "Congressmen Bid Poor Restrict Drive," *The New York Times*, May 4, 1968]

The campaign opened on May 12, when Dr. King's widow, Mrs. Coretta King, addressed 5,000 people in the Cardozo High School Stadium. She called for all the women of the Nation to join in a "campaign of conscience." [Franklin, Ben A., "5,000 Open Poor People's Campaign in Washington," *The New York Times*, March 13, 1968]

The following day, Reverend Abernathy launched construction of "Resurrection City, U.S.A." on the grounds of the Lincoln Memorial to house about 3,000 people. To arouse the conscience of the Nation, he dedicated the plywood city "to plague the Pharaohs of this nation with plague after plague until they agree to give us meaningful jobs and a guaranteed annual income." [Franklin, Ben A., "'City' of the Poor Begun in Capital," *The New York Times*, May 14, 1968]

The campaign was experiencing financial problems, lacking funds to complete the temporary housing. On May 17, coordinator Bernard Lafayette, who had promoted voters' rights in Selma, urged those not already on the way to Washington to postpone the trip until at least May 30. Of the 600 planned units, only 206 units had been built in West Potomac Park. In a news conference, Lafayette acknowledged that the campaign was in a financial crisis, with sufficient funds only "for the next few days." [Franklin, Ben A., "'Financial Crisis' Forces a Delay in March of Poor," *The New York Times*, May 18, 1968]

Political news, war protests, and efforts to start peace talks dominated the news. Leaders of the Poor People's Campaign had difficulty securing the coverage it had been designed to generate as a way of providing creative tension and an eventual negotiated solution. Ten days into the campaign, organizers arranged for the first group arrests at the Capitol. Reverend Abernathy explained that, "we are not quite ready yet" for mass arrests, so he negotiated with police to arrest only 18 of the 75 protesters who were violating the Capitol's strict anti-demonstration regulations. [Franklin, Ben A., "18 Arrested in Protest by Poor Near Capitol," *The New York Times*, May 24, 1968]

On May 29, a small group of protesters at the Supreme Court building broke four windows, with some entering the building only to be pushed back out the windows by guards. [Caldwell, Earl, "High Court Building Stormed in Demonstration by the Poor," *The New York Times*, May 30, 1968]

Hundreds of protesters, singing and shouting, staged a 7-hour camp-in on June 3 outside Attorney General Ramsey Clark's office in the Justice Department. The effort to block his exit failed when he left by the vehicle entrance at the center of the building. Most of the demonstrators left the building around 9:30 p.m. when Hosea Williams told them, "We can't get arrested, we might as well go home." By midnight, all were gone. [Caldwell, Earl, "Clark is Besieged by Poor in Capital," *The New York Times*, June 4, 1968]

The following day, Senator Kennedy won the California Democratic primary, but was shot and killed. His assassin, Sirhan Sirhan, was wrestled to the ground by the former Attorney General's supporters. Again, the Poor People's Campaign fell further from public awareness and media interest.

Campaign organizers had been planning a Solidarity Day mass march for June 19, but on June 6, the march director, Bayard Rustin, suspended activities until campaign organizers clarified the goals to avoid outbreaks of violence. *The New York Times* reported growing impatience among campaign organizers as difficulties mounted:

One highly placed Administration official said it was his belief that the Rev. Ralph Abernathy . . . leader of the campaign, "has lost control of the thing and is bobbing along like a cork in the current."

"The campaign desperately needs drama," he said, "but there is no producer and no director." [Franklin, Ben A., "Rustin Suspends His Role in March," *The New York Times*, June 7, 1968]

Rustin quit the march the following day. Reverend Abernathy appointed Sterling Tucker, director of the Washington Urban League, to replace Rustin.

On June 19, 50,000 people (according to police estimates) participated in the Solidarity Day march – a short march, less than a mile long, from the Washington Monument grounds to the Lincoln Memorial grounds. The crowds had emerged from private

vehicles and 700 chartered buses. Organizers were pleased by the turnout and hoped it would reenergize the campaign, but *The New York Times* reported that, “Most of the speakers this afternoon appeared to sense a national mood of irresolution.” [Franklin, Ben A., “Over 50,000 March in Capital in Support of the Poor,” *The New York Times*, June 20, 1968]

On June 23, Reverend Abernathy had a new problem. The campaign’s permit to camp on park land would expire at 8 p.m. that evening. He announced that he intended to stay beyond the permit limits, but the following day, National Guard troops closed Resurrection City. Reverend Abernathy and several hundred others were arrested, and he was sentenced to 20 days in jail even as the plywood hut city disappeared along with the remaining participants. Compared with the violent end of the Bonus March, the Poor People’s Campaign came to a relatively peaceful conclusion. In an article describing Reverend Abernathy’s sentence and the end of Resurrection City, *The New York Times* added:

The long-awaited mule train of the Poor People’s campaign, which left Marks, Miss., on May 13, finally entered the capital today after a week of grazing on Government park land in nearby Virginia.

But the 11-wagon caravan, a colorful symbol of rural poverty, attracted little attention. [Franklin, Ben A., “Abernathy Gets 20-Day Jail Term; Capital Calmer,” *The New York Times*, June 26, 1968]

Whether the Poor People’s Campaign would have been successful if Dr. King had lived cannot be known. What can be known is that it ended with few if any accomplishments at a time when the rift between advocates for nonviolence and adherents of the new Black Power philosophy was threatening the future of the Civil Rights Movement nurtured by Dr. King.

Congress did not enact the Economic Bill of Rights.

Bureau of Public Roads - Transition

During the first 50 years of its existence, the Bureau of Public Roads (BPR) and its predecessor agencies dating to 1893 had been involved primarily with rural roads. From the start, it cooperated with State and local officials throughout the country, including the Jim Crow southern States. Following creation of the Federal-aid highway program in 1916, the agency’s partnership with State highway officials became part of its statutory mandate. Moreover, the State highway agencies had the primary role of project selection and development, subject to Federal oversight.

What did officials and employees of BPR think about the civil rights of African-Americans? Did they share the common views of the State of their origins? How did their views affect their work? Was the long career of the low level technician, William Grant, discussed earlier, an exception? Was the agency’s early support of chain gangs,

often shown in photographs to consist of African-Americans, evidence of racism, practicality, or indifference? To what extent did racism affect the program in the South, and how did BPR officials feel about it if so?

We cannot answer these questions.

As early as the 1939 report to Congress called *Toll Roads and Free Roads*, BPR leaders were clearly thinking about taking their primarily rural program into urban areas that were experiencing the greatest problems of congestion, decay, and loss of tax base. That report and *Interregional Highways* in 1944 described a rural interregional highway network that included an extensive urban component that would, the author's thought, revitalize the Nation's cities.

Neither report discussed African-Americans, but by this point, their migration to cities outside the South had been underway for 2 decades. When the reports talked about building expressways to replace aging, decaying buildings housing the "humblest citizens," they were referring to the homes of African-Americans as well as immigrants and poor white residents. African-Americans, whatever their economic level, had been subject to Jim Crow residential restrictions in the South and de facto restrictions in other parts of the country. As Carl Rowan explained, their life was centered on streets in their part of town, with the streets often in the least desirable areas – for example, near the railroad tracks, downwind from polluting industrial stacks and smells, most likely to flood, and last to get electricity and indoor plumbing.

Where city statutes did not mandate racial segregation, real estate interests played on racial fears to churn neighborhoods for profit. If they could find one white owner willing to sell to an African-American, the "blockbuster" realtors would flood the neighborhood with salesmen to warn other white owners that the value of their home was about to be destroyed by an invasion. Entire areas could be churned from white to black in less than a decade, leaving the "humblest citizens" who had escaped their decaying housing only to find themselves once again living in a segregated neighborhood with limited power to secure city services.

Herbert S. Fairbank, the BPR official who was the primary author of *Toll Roads and Free Roads* and *Interregional Highways*, was a lifelong resident of Baltimore. Journalist Antero Pietila described blockbusting and other race-based tactics in Fairbank's hometown in *Not in My Neighborhood: How Bigotry Shaped a Great American City* (Ivan R. Dee, 2010). Long before the Interstate System entered Baltimore, real estate interests, with official city support and in line with policies of the Federal Housing Administration, determined where African-Americans and Jews lived, creating restricted neighborhoods that forced whites into city suburbs, and finally out of the city to suburban homes on former farms.

In the reports, Fairbank described how Baltimore could be restored through the new model for urban transportation facilities. He had good reason to understand the pattern of development in his hometown, but he did not mention African-Americans.

Professor Raymond A Mohl, in his report on “The Interstate and the Cities,” noted the omission:

Highway builders rarely mentioned African Americans specifically in their discussions about clearing out blight and slums. In fact, when these ideas first began to receive currency in the late 1930s the nation’s largest cities had not yet received the full force of the massive wartime and postwar migration of southern blacks. But that changed dramatically in the 1940s and after. By that time, when the highwaymen talked about clearing out central-city blight, everyone knew what they meant. The intent, the goal, was clear to most, even if it was rarely stated directly. Their intentions were clear from their statements, actions, and policies – and the visible consequences of the highways they built are the best evidence of their intended goals. [Mohl, Raymond A., *The Interstate and the Cities: Highways, Housing, and the Freeway Revolt*, Poverty and Race Research Action Council, 2002, p. 29]

The Federal-Aid Highway Act of 1944, which authorized designation of a 40,000-mile National System of Interstate Highways, also moved the Federal-aid highway program into urban areas. The legislation authorized \$125 million for projects on Federal-aid highways in urban areas. BPR would now have a statutory role in shaping the Nation’s cities.

While working with the State highway agencies to identify urban projects, the Public Roads Administration (PRA, as BPR was known in the 1940s) was also working with them to identify routes to be included in the Interstate System. On August 2, 1947, PRA and its parent organization, the Federal Works Agency, announced Interstate designation for 37,681 miles of the Nation's principal highways, including 2,882 miles of thoroughfares to carry the Interstates through urban areas. To fill out the 40,000-mile Interstate System, the PRA reserved 2,319 miles for additional urban circumferential and distributing routes that would be designated later.

Those designations would occur in September 1955, after PRA/BPR and State highway officials had worked closely with city officials to determine the best locations. *Designating the Urban Interstates*, on this Web site, described the coordination process (<http://www.fhwa.dot.gov/infrastructure/fairbank.cfm>).

By then, as Professor Mohl explained, racial issues had grown:

The expressway era coincided with a massive migration of rural southern blacks to urban America. More than five million African Americans made that pilgrimage in the three decades after 1940. Many northern and Midwestern cities already had sizable black populations, but those numbers rose rapidly during the war years and after. Between 1940 and 1960, for instance, the black population of New York increased by 137 percent, Philadelphia by 111 percent, Washington by 120 percent, Chicago by 193 percent, Cleveland by 197 percent, Newark by

200 percent, Detroit by 223 percent, Denver by 286 percent, Los Angeles by 425 percent, Oakland by 882 percent. The black populations of southern cities also rose substantially between 1940 and 1960. At a time when strict residential segregation prevailed everywhere, rising black population meant more intense overcrowding and consequent physical deterioration in the contained inner-city black ghettos. [*Revolt*, p. 29]

From the start, the concept behind the urban Interstates had been to displace the “humblest citizens” to make room for an inner belt around the central business district. The inner belt would connect via radial “spokes” to an outer beltway that provided a bypass as well as a connector among the radials. The result would be an economic renaissance for the cities. This visionary concept, embraced by many urban planners and city officials at the time, turned out to have a different impact once construction began, as Professor Mohl described:

Working within federal traffic engineering guidelines, but with few other constraints, highway builders at the state and local levels routed the new urban expressways in directions of their own choosing. Local agendas often dictated such decisions. In most cities, the result was to drive the interstates through black and poor neighborhoods. Urban blacks were heavily concentrated in areas with the oldest and most dilapidated housing, where land acquisition costs were relatively low, and where organized political opposition was weakest. Displaying a “two-birds-with-one stone” mentality, cities and states sought to route interstate expressways through slum neighborhoods, using federal highway money to reclaim downtown urban real estate. Inner-city slums could be cleared, blacks removed to more distant second-ghetto areas, central business districts redeveloped, and transportation woes solved all at the same time – and mostly at federal expense. [*Revolt*, p. 28]

As Professor Mohl explained, BPR officials understood how State and local officials were implementing the visionary concepts – but that was what the concept had been in the first place.

While the country was coming to grips with the urban Interstates, BPR was facing a transition of its own. Under Presidents Kennedy and Johnson, BPR moved into the Civil Rights era.

As the 1960s began, BPR was a largely white agency, with an entirely white male leadership. Numbers of African-American employees are not known, but the nature of the agency is clear from photographs in the agency’s newsletter, *The News in Public Roads* (and after April 1967, *Federal Highway Administration News* and finally *FHWA News*). The newsletter published many photographs of officials moving to new jobs, leadership and regional meetings, award presentations, retirees, and graduating classes of engineers, realty specialists, and urban planners. At the start of the decade, all depicted a white male organization. If an African-American appears in a photograph, it is in a support position such as secretary.

The transition to diversity would take a decade.

Since 1949, BPR had been part of the Department of Commerce, now headed under President Kennedy by former Governor Luther H. Hodges of North Carolina. Born in Virginia in 1898, Hodges moved with his family to North Carolina at the age of 2. After college, he worked for Carolina Cotton and Woolen Mills in Leaksville until moving into politics. He was elected Lieutenant Governor in 1952, and became Governor in November 1954 when Governor William B. Umstead died after a long illness that had incapacitated him almost since his inauguration. Governor Hodges won election to a full 4-year term in 1956.

Based on his experience as a businessman rather than a politician, Governor Hodges gained a reputation as a moderate on civil rights issues who was focused more on promoting industrialization and education than encouraging racist elements in the State at a time of growing racial tension. Writer D. G. Martin said of Governor Hodges:

Hodges led the state during the early stages of its adjustment to the desegregation directive of the U.S. Supreme Court's *Brown vs. Board of Education* decision in 1954. Today, fifty years later, some critics fault Hodges for moving too slow to integrate the state's public schools. Back then, however, the majority of white North Carolinians probably thought he was too "soft" for not resisting the Supreme Court. While other southern states developed plans to close schools, Hodges committed to keeping them open in North Carolina. His success in keeping the schools "on a businesslike basis" may actually be one of his most important achievements. [Martin, D. G., "Our Governors – How Quickly We Forget," *Chatham Journal*, June 20, 1005]

The Governor understood that promoting economic development meant taking a moderate view on racial issues if he wanted to attract northern businesses to the "new South." Now, Secretary Hodges was part of an Administration that saw expanding civil rights as an important goal—political as well as moral.

On March 6, 1961, less than 3 weeks after taking office, President Kennedy approved Executive Order 10925 on "Establishing the President's Committee on Equal Employment Opportunity." Vice President Johnson was designated Chairman of the Committee, which included Secretary Hodges among its members.

Section 301 of the order required that in all government contracting, agencies were to include provisions prohibiting contractors from discriminating against any employee or applicant for employment based on race, creed, color, or national origin. Contractors were to notify each labor union or worker representative with which the company had a collective bargaining agreement or other contract or understanding of this commitment. This provision applied only to Federal contracts, such as those BPR administered on behalf of the National Park Service and the U.S. Forest Service, not to Federal-aid contracts that were awarded by State highway agencies.

On March 31, Secretary Hodges emphasized the goals of the Executive order:

I want to make it emphatically clear that this Department of Commerce, so long as I shall be privileged to serve as Secretary, will share that dedication.

A year later, on March 16, 1962, Hyman H. Bookbinder, Special Assistant to the Secretary, wrote a memo to Commerce Department officials who participated in the Regional Conferences on Equal Employment Opportunity. He said:

As a result of a year-end study which was made at the request of the Vice President, there has been revealed to us a situation in which we can have little pride. While there has been some measurable progress in the picture here in Washington, D.C., the pattern of employment in all Commerce Department activities outside of Washington is quite disturbing. There are so few Negro employees in Grades 5 or over in these out-of-Washington activities that it is hardly worth mentioning at all.

While acknowledging that discrimination may not have been the reason for the shortage, Bookbinder said, “it is still a fact which is difficult to explain that there so very, very few –and in some activities none whatsoever – Negro employees.” Secretary Hodges had directed Bookbinder to “obtain a more determined effort” to correct the situation.

Accordingly, BPR’s Deputy Employment Policy Officer, C. F. Barker, announced a survey on June 11, 1963. He asked BPR’s field leaders to furnish “(a) the total office employment and (b) a listing showing the position title and grade of each Negro employee” for every major office within a State.

The results are not known, but a perhaps the results of the field review are implied by a headquarters photograph in *The News in Public Roads* for January 1963. It accompanied an article reporting that BPR’s Automatic Data Processing Division had installed a new medium-scale computer, the IBM 1410. The photograph depicted four white male officials, including Deputy Federal Highway Administrator D. Grant Mickle, watching as Miss Wilma Dodge, who was white, typed on the control console. Mr. Edward Lloyd, an African-American digital computer systems operator, is shown watching the computer in the background. [“Automatic Data Processing Division Installs New, Large Computer,” *The News in Public Roads*, January 1963, p. 10]

(Barker requested similar information in December 1963, but again the results are not known.)

Executive Order 11114, which President Kennedy approved on June 22, 1963, extended equal employment opportunity to federally assisted contracts. Federal Highway Administrator Rex M. Whitton informed field officials of the change on July 2, 1963. Whitton, who was from the same section of Missouri as former President Truman, had risen through the State’s highway agency before being chosen for the national post.

In January 1964, Whitton directed Joseph M. O'Connor, a former FBI agent now serving as Director of Audits and Investigations, to assume responsibility for administering the nondiscrimination program for all Federal-aid and direct Federal contract work, including Federal supply service contracts.

In late July, Secretary Hodges sent a message to all agency heads emphasizing the need “to secure equal treatment and equal opportunity for all Americans and to assure that no Federal program operates to encourage or support racial segregation.” He quoted President Johnson as saying, “As far as the writ of Federal law will run, we must abolish not some but all racial discrimination.”

On July 29, 1964, Whitton used the Secretary’s message as the basis for a memorandum to all field heads titled “Federal participation in segregated meetings.” In accepting speaking engagements and participating in conferences, all BPR employees were instructed to follow these guidelines:

1. No official should participate in conferences or speak before audiences where any racial group has been segregated or excluded from the meeting, from any of the facilities of the conferences, or from membership in a group.
2. Requests received for speakers or for Federal participation under circumstances where segregation may be practiced require specific inquiry to be made as to the practices of the group before acceptance is given. Obviously, the Bureau of Public Roads should cooperate if any inviting group expresses a willingness to discuss modifications of their practices for any occasion.
3. The Bureau of Public Roads shall not sponsor, support or financially assist, directly or indirectly, any conference, convention, or meeting held under segregated circumstances.

Exceptions were to be cleared with the Administrator. “I am confident,” Whitton said, “that all of you will see to it that this policy is firmly carried out.”

On April 2, 1965, President Johnson informed his Cabinet that:

The Federal service must never be either the active or passive ally of any who flout the Constitution of the United States Where there is an office or an officer of this Government, there must be equal treatment, equal respect, equal service—and equal support—for all American citizens, regardless of race, or sex, or region, or religion

The Federal service asks no conformity—no uniformity of thought and no unanimity of vote. But where Constitutional rights are concerned, the country can ask no more—and accept no less—than uncompromising devotion to the Constitution itself.

Secretary Hodges passed this injunction on to agency heads. On May 3, 1965, Whitton forwarded it to all BPR employees along with a message endorsing the sentiment. He added:

We do have a distinctive role—not only in our official actions but in our personal actions as well. We are in a “showcase” and must set the example because we are the example.

Through this period, BPR sponsored an aggressive college recruitment program. On October 14, 1965, College Recruitment Bulletin No. 12 discussed Equal Employment Opportunities. In setting up visits to colleges and universities, recruitment coordinators should “emphasize our interest in considering all well-qualified candidates without regard to race, creed, color, national origin, marital status, sex, physical handicap, or lawful political affiliation.” The bulletin continued:

Visits to minority group colleges are to be made to acquaint the faculty and students with our recruiting needs, qualifications required of candidates for our several training programs or other professional positions in Public Roads. Minority group colleges not producing graduates meeting our needs because of curriculum deficiencies should be made aware of our requirements in order that they may give consideration to adjusting their curriculum so that their graduates can meet our requirements.

College Recruitment Bulletin No. 16, dated January 25, 1967, noted the tough competition for college graduates and suggested several steps to strengthen BPR’s recruitment efforts, including:

Expand recruiting contacts to include predominantly Negro and smaller colleges. Competition may be less and the quality high at small, lesser known institutions.

The bulletin included a list of “Predominantly negro colleges and universities” to aid recruiters.

In March 1966, BPR established the Equal Opportunity Division within the Office of Audits and Investigations to administer the equal opportunity program under the Civil Rights Act of 1964. On May 31, 1966, Whitton extended a Civil Service Commission program to BPR to establish a record of minority group status. Each employee would receive a computer punch card with his name, organization code, and employee number. He or she was to punch out the one block on the card describing race or national origin. The card was to be returned to the Automatic Data Processing Division in a sealed envelope. Data collected on individuals would be confidential.

Gradually, African-Americans began to fill higher level positions. The employees often came from outside the organization, reflecting the lack of African-American employees ready for advancement to leadership roles. The September 1966 issue of *The News in Public Roads* announced the appointment of four Equal Opportunity Officers, three of

whom were white males. The fourth, Kermit E. Wheeler, was an African-American native of St. Paul, Minnesota, who had previously held a similar position with Chicago's Equal Employment Opportunity Commission.

On September 28, 1967, FHWA informed employees that a new employee, Leon C. Watkins, had been appointed Equal Employment Opportunity Officer. Any employee with a complaint based on race, creed, color, or national origin could contact Mr. Watkins. According to *Federal Highway Administration News* on October 31, 1967, Mr. Watkins was a native of Danville, Virginia, who had graduated from a historically black university, Johnson C. Smith University in Charlotte, North Carolina. Before joining FHWA, he had been a vocational rehabilitation counselor with the District of Columbia Department of Vocational Rehabilitation.

Another milestone occurred in July 1968 when Edward J. DePina became Division Engineer in Connecticut (head of FHWA's State office, a position that is now called Division Administrator), the first African-American to hold that title. He had joined BPR in 1965 after serving as a Captain in the U.S. Army Corps of Engineers and a stint with the Massachusetts Department of Public Works.

The agency continued to add African-Americans to its ranks in 1968, the year when the transition finally became evident in photographs appearing in the agency's newsletters. The issue of *Federal Highway Administration News* dated September 30, 1968 announced several African-American appointees:

Alexander D. Gaither took office as Chief, Equal Opportunity Division. A native of Knoxville, he had graduated from Knoxville College, a historically black college, in 1932. Before assuming his new position, he had been Equal Employment Officer for FHWA's Region 3 since 1966.

Flynn M. Wells was appointed Chief of the Relocation Assistance Staff in the Office of Right-of-Way and Location. A Detroit native, Wells had been a real estate broker and appraiser before joining the Michigan Department of State Highways.

Marshall Jacks, Jr., a registered professional engineer in Michigan, joined the Traffic Control Devices Branch.

On August 23, 1968, President Johnson approved the Federal-Aid Highway Act of 1968 reauthorizing the Federal-aid highway program. Section 22 of the Act added Section 140 on "Equal employment opportunity" to Title 23 ("Highways"), United States Code. It required assurances from each State highway agency that employment on Federal-aid projects would be free of discrimination. It also required the States to "include in the advertised specifications, notification of the specific equal employment opportunity responsibilities of the successful bidder." The law also gave the Secretary of Transportation authority to require, where necessary, the States to assure "that there are in existence and available on a regional, statewide, or local basis, apprenticeship, skill

improvement or other upgrading programs . . . which provide equal opportunity for training and employment”

The bidding provision of Section 140 had begun in the House Committee on Public Works as a response to actions by the Office of Federal Contract Compliance in the Department of Labor. The Office had required that after the State selects a low bidder on a Federal-aid contract, but before the contract is awarded, the contractor must submit an affirmative action program for the employment of minorities. This requirement violated the Federal-aid requirement for competitive bidding because bidders were not competing on the basis of all contract requirements. Pilot projects using the Labor Department’s requirement had been delayed or blocked.

The Senate Committee on Public Works had also addressed the post-bid problem and added the training requirement so that those who wished to become qualified applicants could participate in registered apprentice and skill training programs.

The Conference Committee to resolve differences among the House and Senate versions of 1968 Act combined the two versions of the equal opportunity provision into the new section of Title 23. It also amended Section 112 of Title 23 on construction contracts to add the House requirements, while broadening the prohibition on adding requirements not included in the advertisement by prohibiting them from being a condition of award of the contract to the bidder.

By 1968, photographs in *Federal Highway Administration News* routinely depicted African-Americans. Although they remained a small but growing segment of the employment roster, they had become an integral part of the routine activities of the agency.

In January 1969, the Subcommittee on Roads of the Senate Committee on Public Works held hearings on civil rights and equal opportunities. The subcommittee recommended that FHWA assume leadership in demonstrating to the States the importance of equal employment opportunity. In response, Francis C. “Frank” Turner, a native of Fort Worth, Texas, who had risen through BPR’s ranks to become the only career employee to hold the title of Federal Highway Administrator, appointed Gaither to the new post of Special Assistant to the Administrator for Equal Opportunity in March 1969. He also created the Office of Civil Rights in June with responsibility for internal and external concerns. Special Assistant Gaither became the first Director of the Office of Civil Rights.

On July 28, 1969, the American Association of State Highway Officials (AASHO) sponsored a meeting in Chicago bringing together State highway officials and representatives of The Associated General Contractors of America (AGC), the American Road Builders’ Association (ARBA), and FHWA. Participants included equal

opportunity officers from FHWA and the State highway agencies. An account of the meeting in *FHWA News* stated:

AASHO President Ross Stapp [of the Wyoming Highway Department] moderator of the meeting said that since the early 1940's the contract documents of Federal-aid highway projects have all contained a rather innocuous statement to the effect that the project would be administered without regard to race, color, creed or national origin. The statement, he added, did little to change the normal process and procedures; however, such things will be changed and are being changed by the Federal-Aid Highway Act of 1968. Mr. Stapp said the Act called on the Federal-aid highway program to assume its share of correcting some of the Nation's most pressing social-economic problems by training and bringing into the highway program minorities, especially blacks, who have all but been excluded in the past, except for low-paying jobs.

Turner told participants that the new system must work to take advantage of the full participation of the States in developing programs responsive to the unique needs of each State.

The account continued:

A. D. (Jake) Gaither, Director, Office of Civil Rights, FHWA, noted that, a year ago, a meeting of this kind was not possible. Mr. Gaither reported that paperwork has been completed—policies and procedures have been promulgated—and the stage is set for operating a viable program.

AASHO endorsed FHWA's Civil Rights Program, while all participants agreed that "a coordinated effort would have to be made on the part of the private sector, AASHO, AGC, ARBA, and all involved Federal-aid State agencies if this program is to realize its ultimate goal of achieving equality of opportunity in the highway industry." ["AASHO Endorses FHWA Civil Rights Program," *FHWA News*, August 19, 1969, p. 2]

Based on Executive Order 11478, signed by President Richard M. Nixon on August 8, 1969 ("Equal Employment Opportunity in the Federal Government"), the Office's responsibilities were strengthened to include development of affirmative action plans and procedures for processing discrimination complaints and equal employment opportunity counseling activities.

Disadvantaged Business Enterprises

On October 13, 1971, President Nixon approved Executive Order 11625 ("Prescribing Additional Arrangements for Developing and Coordinating a National Program For Minority Business Enterprise"). It began:

The opportunity for full participation in our free enterprise system by socially and economically disadvantaged persons is essential if we are to obtain social and

economic justice for such persons and improve the functioning of our national economy.

Among its instructions on achieving full participation, the order stated:

Each Federal department or agency shall, within constraints of law and appropriations therefore, continue all current efforts to foster and promote minority business enterprises and to support the program herein.

In response, FHWA issued a regulation requiring States to take affirmative actions to increase participation of minority business enterprises (MBE) in Federal-aid highway construction programs (23 CFR 230, Subpart B).

Progress increased after Secretary William T. Coleman, Jr., became the first African-American to serve as Secretary of Transportation (1975-1977). On July 23, 1975, FHWA and the Commerce Department's Office of Minority Business Enterprise signed a memorandum of understanding on ways to increase participation of MBE's in Federal-aid construction programs. Among other things, FHWA agreed to review the feasibility of setting goals for MBE contracts and subcontracts and assist in identifying capable minority construction contractors, vendors, suppliers, equipment dealers, and service companies.

FHWA issued regulations on November 21, 1975, to promote increased use of MBE's in Federal-aid highway activity. States would have to identify MBE's, ensure prime contractors using subcontractors took affirmative action to consider MBE's, and report MBE participation to FHWA quarterly.

In the Notice of Proposed Rulemaking (NPRM), published in the *Federal Register* on May 17, 1979 (p. 28928), the Department explained its decision to include women-owned businesses (WBE) among MBE's. Women comprise 51 percent of the population, and so are not a minority, but at the time they owned only 4.6 percent of businesses; the gross receipts of women-owned businesses totaled 0.3 percent of all United States business receipts in 1972. The notice continued:

Because there was never before a program for woman-owned businesses, statistics on their participation in DOT contracts are not available. It is clear, however, that their degree of involvement is minimal. Women have not traditionally participated in either the construction or transportation fields in which the bulk of DOT contracts are let.

On March 31, 1980, the Department issued a comprehensive regulation that required all recipients of Federal funding to adopt an MBE program, including setting goals for MBE participation in Federal-aid contracts and provisions for helping MBE's succeed in

carrying out the contracts. The regulation extended the definition of “MBE” to include women’s business enterprises. The preamble to the Final Rule explained:

The final rule refers to small business concerns owned and controlled by one or more minority persons or by women. The Department is aware that women are not by definition a minority. But to simplify drafting, we will include businesses owned and controlled by women under the general heading of MBE. This will avoid the necessity of repeating “minority-owned enterprises and women-owned enterprises.” The Department, however, has retained the substantive provision of the NPRM that requires recipients to set separate goals for businesses owned and controlled by minorities and women. As several commenters noted, separate goals are necessary to permit minority-owned and women-owned firms to participate equitably in the program.

Contracting with MBE’s gradually increased, from \$27.8 million in FY 1975 to \$366.5 million in FY 1981 or 4.23 percent of approximately \$8.75 billion of obligated funds for the year. Federal Highway Administrator Ray Barnhart summarized the results:

Without the level of dedication and involvement, the FHWA’s MBE program in FY 1981 would not have achieved such results. The MBE program is not a deferred dream of FHWA. Our record shows a positive escalation of minority involvement in the highway industry. This is encouraging progress in participation and increased opportunities by minority business firms.” [Johnson, William E., “Minority Business Enterprise Shows 1981 Gains,” *FHWA News*, June 1982, p. 1]

The Surface Transportation Assistance Act (STAA) of 1982 formalized this administrative requirement, thanks to Representative Parren J. Mitchell (D-Md.) of Baltimore. Mitchell had taught sociology at historically black Morgan College (now Morgan State University) but his family had been involved in the Civil Rights Movement for many years; his brother Clarence M. Mitchell, Jr., worked for the NAACP in Washington. In 1970, Mitchell defeated nine-term Democratic incumbent Samuel Friedel in the primary by 38 votes, aided by a third candidate who siphoned votes away from Friedel. When Mitchell won the election in November, he became the first African-American to represent Maryland in the U.S. House of Representatives (January 3, 1971, to January 3, 1987). [*Not in My Neighborhood*, p. 205]

On December 6, 1982, he introduced an amendment on the House floor during debate on the STAA that required that not less than 10 percent of the amounts authorized “shall be expended directly with small business concerns owned and controlled by socially and economically disadvantaged individuals.”

Mitchell explained that a similar measure had been added to the Public Works Act of 1977. The Supreme Court had found the measure constitutional in a 1980 case and

“the amendment met with enormous success”:

In light of the disproportionate unemployment enjoyed by minorities as of this time, and in light of the success of the public works amendment in mixing together county, State, and local governments with minority business provisions, I would urge the passage of my amendment.

The Nation had been in a prolonged recession that had begun in the late 1970s. Mitchell shared the concern about unemployment. He said that “the November unemployment figures [show] 10.8 percent of Americans are out of work,” but for black Americans unemployment was “an atrocious level of 20 percent.” That total did not include the “millions of individuals who have given up total hope and thus are no longer seeking employment.”

While the 1982 STAA was expected to create nearly 300,000 jobs, Representative Mitchell was concerned that “the twin forces of racism and economic discrimination will once again raise their ugly heads.” He added that small businesses owned and controlled by socially and economically disadvantaged individuals had made major contributions in the past. “The small minority business community can play a major role in assisting this Nation to reduce the 20-percent black unemployment figure.

The House agreed to the Mitchell amendment, which was modified in conference with the Senate and incorporated into Section 105 (“Authorizations”) as subsection (f):

Except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts authorized to be appropriated under this Act shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals as defined by section 8(d) of the Small Business Act (15 U.S.C. section 637(d)) and relevant subcontracting regulations promulgated pursuant thereto.

Implementing this provision was a challenge for the Reagan Administration, which opposed affirmative action mandates. Given the introductory clause, “Except to the extent that the Secretary determines otherwise,” the Department treated the provision as requiring each State transportation department to establish a goal that it would try to attain – as long as accumulated national contracting equaled 10 percent. States with small numbers of minorities set low goals, while others set goals far exceeding 10 percent, allowing FHWA to comply with the statutory requirement. Because the firms involved were small and often inexperienced, they would be used mostly as subcontractors to nonminority, nondisadvantaged prime contractors.

The Surface Transportation and Uniform Relocation Assistance Act of 1987 continued the 10 percent DBE goal, and stated that, “women shall be presumed to be socially and economically disadvantaged individuals for purposes of this subsection” (Section 106(c)).

Congress has included variations of the Mitchell DBE provision in subsequent legislation and so it remains a key part of contracting. The FHWA approves each State's DBE program and its annual goals to ensure compliance with all DBE program requirements. The main objective is to ensure that DBE firms, including WBE firms, have an opportunity to participate in Federal-aid contracts.

Rodney E. Slater – Beyond the Dreams

Rodney E. Slater was born in Tutwiler, Mississippi, on February 23, 1955, but soon moved with his unmarried mother to her native State where they lived in Marianna, Lee County, Arkansas. He grew up as an African-American in the final years of the Jim Crow era that would come to an official end less than 10 years later. On June 16, 1993, he became the first African-American to hold the post of Federal Highway Administrator, and would serve in that post until he became, in 1997, the second African-American to serve as the U.S. Secretary of Transportation after William T. Coleman, Jr.

Although he never knew his father, Slater grew up with his mother Velma and stepfather Earl Brewer, a mechanic and maintenance man. When he was in the third grade, his family moved to a brick duplex on Anna Strong Circle in a new public housing project on the edge of town. As a profile of Slater in the *Arkansas Democrat-Gazette* explained, “By the standards of time and place, the homes on Anna Strong Circle looked good. One longtime acquaintance says the duplexes, with their indoor plumbing, were a definite improvement over much of the available housing.” Slater told the reporters he recalled sitting outside his new home and wondering where the passing cars were headed.

(Anna M. Paschal Strong was a native Arkansan, an educator and principal, an Assistant in the Arkansas State Department of Education, and a staff member at Tuskegee and other universities and colleges.)

At age 6, he earned money in the cotton fields—\$2.50 to \$3 per hundred pounds of cotton picked—to buy a red Schwinn Bicycle. His mother said, “He was so proud” of the bicycle he had bought with money he had earned on his own.

He attended the Anna Strong Elementary School for African-American children. The newspaper profile explained:

Slater’s contemporaries are quick to correct what they feel is a misperception about the Delta of those days. Far from the hopeless picture often presented of the region, they say Marianna was a place where black children, though poor, were pushed and expected to succeed. Part of that was a legacy of segregation—the self-reliance of black farmers, educators and small-business owners. Part of it was the push for civil rights. The dreams Martin Luther King Jr. had spoken of were in the air.

When Slater was in the 10th grade, Marianna’s white and African-American schools were consolidated. “In grade school and junior high,” the profile indicated, “he longed to compete with children from the other side of the color line, to test his academic and athletic skills against theirs.” As he put it, “I always wanted to know how I stacked up.”

In elementary school, Slater enjoyed competing in speaking contests, displaying a strong competitive spirit as students read from the works of African-American writers such as James Weldon Johnson and W. E. B. DuBois.

By the 7th grade, he had secured his mother's permission to play football. His play at Lee High School—in one game, he ran a 98-yard kickoff return despite having his helmet knocked off during the run—earned him a scholarship to Eastern Michigan University in Ypsilanti, Michigan. He turned down a track scholarship to the University of Arkansas. “Eastern Michigan gave me a chance to get away,” he explained. “I wanted to be on my own and see things I've never seen before.” [Kiely, Kathy, and Stumpe, Joe, “Slater Takes High Road All the Way to the Top,” *Arkansas Democrat-Gazette*, February 9, 1997]

After graduating in 1977, he attended the University of Arkansas School of Law in Fayetteville, receiving his law degree in 1980. Slater would serve in several State posts, including Assistant Attorney General for Arkansas, but his future would become entwined with Governor Bill Clinton. In 1982, Slater left his State job to work on Clinton's campaign to regain the post he had lost in 1980. After Clinton began his second term as Governor, he appointed Slater his special assistant for community affairs. Slater would later serve as director of governmental relations at Arkansas State University from 1987 to 1993.

In 1987, Governor Clinton appointed Slater to the Arkansas State Highway Commission, which sets policy and oversees the activities of the Arkansas State Highway and Transportation Department. The first African-American to serve on the commission, Slater also was the first to serve as its chairman in 1992.

After defeating President George H. W. Bush in the election of November 1992, President-elect Clinton appointed Slater the new Federal Highway Administrator. He took the oath of office on June 16, 1993. His wife Cassandra Wilkins and daughter Bridgett, along with his mother, were on hand for the ceremony.

During his tenure as Federal Highway Administrator (1993-1997), Slater strongly supported the National Highway System (NHS)—160,000 miles of principal arterial roads and intermodal connectors, including the Interstate System, that serve as the backbone of America's intermodal transportation system. He played a key role in securing congressional passage of the National Highway System Designation Act of 1995.

In addition, he strengthened FHWA's commitment to Intelligent Transportation Systems, intermodal transportation, effective emergency response, innovative financing and contracting, and environmental enhancement, and made significant improvements in motor carrier and highway safety. He also coordinated FHWA's responses to several major natural disasters, including Midwest flooding in 1993 and the 1994 Northridge Earthquake in California.

Slater led the FHWA's most extensive outreach effort in its history by touring America to look, listen, and learn from people who use, build, and maintain our roads and bridges. His initial tour was in 1993 when he led a 14-day, 14-State road tour demonstrating the potential of the NHS. During this tour, he stopped in Henning, Tennessee, to visit the Alex Haley Museum, dedicated to the memory of the African-American author whose best known work was *Roots*. At the author's gravesite, Slater was taken by six words on the headstone: "Find the Good and Praise It." They would become his watchwords in coming years. He saw them as a companion to a sentiment he would express many times:

While I found much good [on the road tour], we all have to continue working every day to meet the transportation challenges of the 21st century.

Because transportation is not just about concrete, asphalt, and steel. It's about people, the people we serve today and tomorrow. [Slater, Rodney E., "Find the Good and Praise It," *Constructor*, June 1994]

Other outreach trips included a road tour through the Southeast and a tour from San Francisco to Washington in 1996 to commemorate the 40th anniversary of the Interstate System.

Throughout these years, his emphasis was on putting people first by helping them not only to meet their transportation goals, but to achieve the American Dream. FHWA, he said, must remain a visionary and vigilant Agency as it faces the challenges of the 21st century. He worked to demonstrate, in words and actions, that transportation is about providing all Americans with access to opportunities.

Following President Clinton's reelection to a second term in 1996, he chose Slater to be the 13th Secretary of Transportation—only the second FHWA Administrator to be appointed Secretary, after John A. Volpe. In nominating Mr. Slater, the President said, "He has built bridges both of steel and of goodwill to bring people closer together."

Slater, then 41 years old, would serve as Secretary from February 14, 1997 to January 20, 2001. The Department's historian, Dr. Dale Grinder, summed up Secretary Slater's tenure:

During Slater's first year and a half at DOT, Congress passed the largest public works legislation in history—the Transportation Equity Assistance Act for the 21st Century (TEA-21); airline and railroad mergers—with proposed limitations—again became fashionable; Department negotiators helped to avert a strike against Amtrak—and Congress mandated the [National Passenger Rail] Corporation's overhaul; [the National Highway Traffic Safety Administration] issued regulations allowing consumers to turn off their airbag switches where necessary; and the United States finalized a long-sought, liberalized aviation agreement with Japan. Also, in keeping with his conviction that transportation was about "more than concrete, asphalt, and steel," Slater announced the Garrett A. Morgan

Technology and Transportation Futures program to encourage students to choose careers in transportation; a "Safe Skies for Africa" Initiative to promote sustainable improvements in aviation safety and airport security in Africa; and on October 8, 1998, proposed the idea of creating a unified Department—ONE DOT, able to act as an integrated, purposeful leader increasing transportation efficiency and effectiveness.

While still Federal Highway Administrator, Slater addressed an FHWA audience during the Black History Month Kick-Off Program on February 3, 1994. The theme that year was:

African-Americans:
Rich in Heritage, Strong in Contribution,
Pioneering the Future

Slater talked about the contributions African-Americans had made to the Nation's infrastructure. He spoke of the contribution of African-American troops to the Alaska Highway "despite military segregation, substandard equipment, and severe weather conditions." He spoke of the African-American trailblazers who "risked jail and death during the civil rights movements of the 50s and 60s, and laid the foundation and paved the way so that the generations who followed might have opportunities that they and their forefathers were denied."

He mentioned some of the agency's own trailblazers and told the story of the Voting Rights March along U.S. 80 between Selma and Montgomery, Alabama. It was, he said, "a story about a bridge and about a road and about Martin Luther King, Jr." He told about the death of Jimmie Lee Jackson, the Bloody Sunday beatings on the Edmund Pettus Bridge, the abbreviated march onto the bridge that Dr. King turned back for fear of a trick, and finally the march across the bridge for the trip along U.S. 80 to Montgomery. He quoted Dr. King's speech in this version:

Last Sunday more than eight thousand of us started on a mighty walk from Selma, Alabama. We have walked on meandering highways and rested our bodies on rocky byways. They told us we wouldn't get here, and there were those who said that we would get here only over their dead bodies. But all the world together knows that we are here and that we are standing before the forces of power in the State of Alabama, saying, "We ain't goin' let nobody turn us around."

Slater concluded:

Today the generation that came after that march enjoys – and perhaps sometimes takes for granted – the rights that were gained only by the sweat and strain of a march across the Edmund Pettus Bridge, along U.S. 80 through heat and rain. Highways and bridges, you see, can play a part in our history far beyond the dreams of their engineers.

REFERENCES

Books

- Ambrose, Stephen, *Eisenhower: The President*, A Touchstone Book, Simon and Schuster, Inc., 1984.
- Arsenault, Raymond, *Freedom Riders: 1961 and the Struggle for Racial Justice*, Oxford University Press, 2006.
- Barnes, Catherine A., *Journey from Jim Crow: The Desegregation of Southern Transit*, Columbia University Press, 1983.
- Branch, Taylor, *Parting the Waters: American in the King Years 1954-1963*, Simon and Schuster, 1988.
- Branch, Taylor, *Pillar of Fire: America in the King Years 1963-1965*, A Touchstone Book, Simon and Schuster, 1999.
- Branch, Taylor, *At Canaan's Edge: American in the King Years 1965-68*, Simon and Schuster, 2006.
- Brinkley, Douglas, "The Alcan Highway," Introduction to Griggs, William E., *The World War II Black Regiment That Built the Alaska Military Highway: A Photographic History*, University Press of Mississippi, 2002.
- Brinkley, Douglas, *Rosa Parks*, Viking, 2000.
- Carbado, Devon W., and Weise, Donald, editors, *Time on Two Crosses: The Collected Writings of Bayard Rustin*, Cleis Press, Inc., 2003.
- Coates, Ken, *North to Alaska!*, University of Alaska Press, 1992.
- Colley, David P. *The Road to Victory: The Untold Story of World War II's Red Ball Express*, Brassey's, 2000.
- Crew, Spencer R., *Field to Factory: Afro-American Migration 1915-1940*, Smithsonian Institution, 1987.
- Fireside, Harvey, *Separate and Equal: Homer Plessy and the Supreme Court Decision that Legalized Racism*, Carroll and Graf Publishers, 2004.
- Gentile, Thomas, *March on Washington: August 28, 1963*, New Day Publications, 1983.
- Ginsburg, Gilbert, *A Practical Guide to the Davis-Bacon Act: Course Manual*, Federal Publications, Inc., 1998.
- Heinemann, Ronald L., *Harry Byrd of Virginia*, University of Virginia Press, 1996.
- Holbrook, Stewart H., *The Story of American Railroads*, Bonanza Books, 1957.
- Irons, Peter, *Jim Crow's Children: The Broken Promise of the Brown Decision*, Penguin Books, 2004.
- Lemann, Nicholas, *The Promised Land: The Great Black Migration and How it Changed America*, Vintage Books, 1992.
- Loewen, James W., *Sundown Towns: A Hidden Dimension of American Racism*, A Touchstone Book, Simon and Schuster, 2006.
- Lowry, Beverly, *Harriet Tubman: Imagining a Life*, Doubleday, 2007.
- McCullough, David, *Truman*, Simon and Schuster, 1992.
- McMillen, Neil R., *Dark Journey: Black Mississippians in the Age of Jim Crow*, University of Illinois Press, 1989.
- Meyer, Eugene L., *Maryland: Lost and Found*, The Johns Hopkins University Press, 1986.

- Mohl, Raymond A., *The Interstate and the Cities: Highways, Housing, and the Freeway Revolt*, Poverty and Race Research Action Council, 2002.
- Packard, Jerrold M. *American Nightmare: The History of Jim Crow*, St. Martins Griffin, 2002.
- Perlstein, Rick, *Nixonland: The Rise of a President and the Fracturing of America*, Scribner, 2009.
- Pietila, Antero, *Not in My Neighborhood: How Bigotry Shaped a Great American City* (Ivan R. Dee, 2010).
- Posnanski, Joe, *The Soul of Baseball: A Road Trip Through Buck O'Neil's America*, Harper, 2008.
- Posner, Gerald, *Killing the Dream: James Earl Ray and the Assassination of Martin Luther King, Jr.*, Random House, 1998.
- Ritchie, Andrew, *Major Taylor: "The Fastest Bicycle Rider in the World,"* Cycle Publishing, 2nd edition, 2010.
- Robinson, Jo Ann Gibson, *The Montgomery Bus Boycott and the Women Who Started It*, The University of Tennessee Press, 1987.
- Rose, Mark H., *Interstate Express Highway Politics: 1939-1989* (Revised edition), The University of Tennessee Press, 1979.
- Rowan, Carl T., *South of Freedom*, Alfred A. Knopf, 1952.
- Royko, Mike, *Boss: Richard J. Daley of Chicago*, E. P. Dutton and Company, 1971.
- Rugh, Susan Sessions, *Are We There Yet? The Golden Age of American Family Vacations*, University Press of Kansas, 2008.
- Smith, Robert A., *A Social History of the Bicycle*, American Heritage Press, 1972.
- Taeuber, Karl E., and Taeuber, Alma F., "The Black Population in the United States," *The Black American Reference Book*, Smythe, Mable M., editor, Prentice-Hall, Inc., 1976.
- Trollope, Anthony, *North America* (editors Smalley, Donald, and Booth, Bradford Allen), Alfred A. Knopf, 1951.
- Twichell, Heath, *Northwest Epic: The Building of the Alaska Highway*, St. Martin's Press, 1992.
- Tye, Larry, *Rising from the Rails: Pullman Porters and the Making of the Black Middle Class*, Henry Holt and Company, 2004.
- Vlack, John Michael, "Above Ground on the Underground Railroad," *Passages to Freedom: The Underground Railroad in History and Memory*, Blight, David W., ed., Smithsonian Books, 2004.
- Washington, James Melvin, editor, *A Testament of Hope: The Essential Writings and Speeches of Martin Luther King, Jr.*, Harper One, 1991.
- Woodward, C. Vann, *The Strange Career of Jim Crow*, A Galaxy Book, Oxford University Press, 14th Printing, 1965.
- Wright, Richard, *12 Million Black Voices: A Folk History of the Negro in the United States*, Viking Press, 1941.

Magazine and Newspaper Articles, plus Miscellaneous

- “51 Years of Service,” *The News in Public Roads*, November 1955, p. 1.
- Arnold, Martin, “Road Facilities to Aid Caravans,” *The New York Times*, August 28, 1963.
- Associated Press, “3 Rights Buses are Stoned,” *The New York Times*, August 29, 1963.
- “AASHO Endorses FHWA Civil Rights Program,” *FHWA News*, August 19, 1969.
- “Automatic Data Processing Division Installs New, Large Computer,” *The News in Public Roads*, January 1963.
- “Bureau of Roads Aide Retiring After 50 Years,” *The Evening Star*, November 26, 1955.
- Caldwell, Earl, “Sanitation Strike in Memphis Ends,” *The New York Times*, April 17, 1968.
- Caldwell, Earl, “Abernathy Plans a ‘Massive’ March,” *The New York Times*, April 22, 1968.
- Caldwell, Earl, “Campaign of Poor Begins in Capital,” *The New York Times*, April 30, 1968.
- Caldwell, Earl, “High Court Building Stormed in Demonstration by the Poor,” *The New York Times*, May 30, 1968.
- Caldwell, Earl, “Clark is Besieged by Poor in Capital,” *The New York Times*, June 4, 1968.
- “The Colored Man and the League,” *Good Roads*, April 1894.
- Franklin, Ben A., “Congressmen Bid Poor Restrict Drive,” *The New York Times*, May 4, 1968.
- Franklin, Ben A., “5,000 Open Poor People’s Campaign in Washington,” *The New York Times*, March 13, 1968.
- Franklin, Ben A., “‘City’ of the Poor Begun in Capital,” *The New York Times*, May 14, 1968.
- Franklin, Ben A., “‘Financial Crisis’ Forces a Delay in March of Poor,” *The New York Times*, May 18, 1968.
- Franklin, Ben A., “18 Arrested in Protest by Poor Near Capitol,” *The New York Times*, May 24, 1968.
- Franklin, Ben A., “Rustin Suspends His Role in March,” *The New York Times*, June 7, 1968.
- Franklin, Ben A., “Over 50,000 March in Capital in Support of the Poor,” *The New York Times*, June 20, 1968.
- Franklin, Ben A., “Abernathy Gets 20-Day Jail Term; Capital Calmer,” *The New York Times*, June 26, 1968.
- Gifford, Bill, “The Great Black North,” *Washington City Paper*, October 8, 1993.
- Hallifax, Jackie, “Historians plan reunion for black soldiers who worked on Alaska road,” Associated Press, date unknown, but probably September 1990.
- Herbers, John, “Rights Conference Averts Showdown on War Policy,” *The New York Times*, June 3, 1966.
- “Hotels on the Highway,” *Ebony*, June 1955.
- Johnson, William E., “Minority Business Enterprise Shows 1981 Gains,” *FHWA News*, June 1982.

- Jones, Theodore, "Tired New Yorkers Head Home Full of Praise for Capital Rally," *The New York Times*, August 29, 1963.
- Kelly, Fred C., "The Great Bicycle Craze," *American Heritage*, December 1956.
- Kenworthy, E. W., "Senator, 70 to 30, Invokes Closure on Voting Rights," *The New York Times*, May 26, 1965.
- Kenworthy, E. W., "Democratic Bill on Voting Passed by House, 333-85," *The New York Times*, July 10, 1965.
- Kenworthy, E. W., "Johnson Signs Voting Rights Bill, Orders Immediate Enforcement; 4 Suits will Challenge Poll Tax," *The New York Times*, August 7, 1965.
- Kiely, Kathy, and Stumpe, Joe, "Slater Takes High Road All the Way to the Top," *Arkansas Democrat-Gazette*, February 9, 1997.
- Lindo, Tresha, "Troops re-united for highway's 50th anniversary," *The Famuan*, January 13, 1992.
- Loftus, Joseph A., "Delays are few and Short-Lived," *The New York Times*, August 29, 1963.
- LoLordo, Ann, "Black GIs helped carved a road across frozen hell," *The Baltimore Sun*, July 4, 1992.
- "Marcher From Alabama," *The New York Times*, August 29, 1963.
- "Marchers Sing and Voice Hope on Way to Washington Rally," *The New York Times*, August 29, 1963.
- Martin, D. G., "Our Governors – How Quickly We Forget," *Chatham Journal*, June 20, 1005
- Mohl, Raymond A., *The Interstate and the Cities: Highways, Housing, and the Freeway Revolt*, Poverty and Race Research Action Council, 2002.
- Olsenius, Richard, "Alaska Highway – Wilderness Escape Route," *National Geographic*, November 1991.
- Powledge, Fred, "Alabamians Gay on Bus Journey," *The New York Times*, August 28, 1963.
- Rasmussen, Frederick N., "Racial bias revealed along U.S. 40 in 1961," *The Baltimore Sun*, October 8, 2005.
- Reed, Roy, "Meredith Begins Mississippi Walk to Combat Fear," *The New York Times*, June 6, 1966.
- Robertson, Nan, "President to Sign Voting Bill Today," *The New York Times*, August 6, 1965.
- Schuyler, George S., "Traveling Jim Crow," *The American Mercury*, August 1930.
- "Throng Gets Quick Start" and "3 Youths Stone Marchers' Bus," *The Evening Star*, August 28, 1963.
- "Voting Right Bill Sent to Johnson," *The New York Times*, August 5, 1965..
- Weingroff, Richard F., "The Genie in the Bottle," *Public Roads*, September/October 2000.
- Woodard, C. Vann, "The Birth of Jim Crow," *American Heritage*, April 1964.

Government Publications

- America's Highways 1776-1976*, Federal Highway Administration, 1976.
- Annual Report of the Federal Works Agency, 1944.
- Interregional Highways*, House Document No. 379, 78th Congress, 2d Session,

Government Printing Office, 1944.

Toll Roads and Free Roads, House Document No. 272, 76th congress, 1st Session,
Government Printing Office, 1939.

To Secure These Rights: The Report of The President's Committee on Civil Rights,
Government Printing Office, 1947.