

They Had a Dream Too



YOUNG LEADERS OF THE CIVIL RIGHTS MOVEMENT

Curriculum

They Had a Dream Too

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*Classroom Curriculum
For Grades 11 & 12*

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TEXAS YOUNG LAWYERS ASSOCIATION

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Introduction

Thank you for choosing to incorporate *They Had a Dream Too* into your classroom curriculum! The Texas Young Lawyers Association (“TYLA”) appreciates your support and participation in the *They Had a Dream Too* project.

Inspired by Jeff Zaslow’s Wall Street Journal article, “Kids on the Bus: The Overlooked Role of Teenagers in the Civil-Rights Era,” this multimedia project was designed to educate and inspire students to learn about the laws and make a difference in their community. Through the eyes of the students, teenagers, and children active in the Civil Rights Movement, *They Had a Dream Too* seeks to show high school juniors and seniors the profound impact on history that students had and that they, too, can positively change the world around them.

The time was ripe for the project as the impending school year marked the forty-year anniversary of the signing of portions of the Voting Rights Act and the fifty-year anniversary of when the Little Rock Nine first attended Little Rock’s Central High School.

The Film

Funded through a grant from the Texas Bar Foundation, the 28 minute *They Had a Dream Too* film is narrated by renowned civil rights leader and NAACP Chairman, Julian Bond. Through pictures, footage and interviews with actual participants at the time, *They Had a Dream Too* takes students on a ride through the turbulent Civil Rights Movement of the 50s, 60s and 70s. It introduces students to Terrence Roberts of the Little Rock Nine, and teaches them about Ruby Bridges, who almost single-handedly integrated schools as an elementary school student in New Orleans, and others who braved integration following *Brown vs. Board of Education*. The film discusses Claudette Colvin, Rosa Parks’ predecessor and

inspiration. *They Had a Dream Too* takes the students to Greensboro, North Carolina, to meet Franklin McCain, one of four college freshmen who took a stand by sitting down at Woolworth’s lunch counter. They meet Doreen Lorry, who jumped in a swimming pool at age 8 to help desegregate public places. In a section about young leaders of other movements, Mary Beth Tinker explains why she protested at her school at age 13, and why her seminal Supreme Court case states that the civil rights of students and teachers do not stop at the schoolhouse gate. John Martin, a Department of Justice Civil Rights Division Lawyer at the time, talks about the Freedom Rides, “Bloody Sunday” and how the efforts of students during the long hot summer led to the signing of the Voting Rights Act. The film also walks the students through student marches in Birmingham and Selma, Alabama.

Former San Antonio Mayor and US Secretary of Housing and Urban Development, Henry Cisneros, and Assistant US Secretary of Civil Rights, University of Texas Law Professor, Norma Cantú, discuss student action in the Mexican-American Civil Rights movement. Within thirty minutes, the students find out what a difference people their age made in shaping our nation.

The Curriculum

The written curriculum is designed to follow the topics discussed in the film. The information provided is only a summary of the vast history of the time, with a specific focus on the youth of the day and the participants of the film. Each section includes discussion questions and/or activities for you to use with your class. Additionally, each section includes specific TAKS objectives to assist you in meeting your teaching goals.

The Website

The www.theyhadadreamtoo.org website serves as another resource for you as a teacher or directly for your

students. The website will house additional footage of the participant interviews and resources related to the project and the Civil Rights Movement.

Implementation

It is up to you how to implement the project. The project is flexible for you to utilize as it best suits your classroom and your students. Although not required, attorney volunteers are recommended during the viewing of the film to discuss legal issues in the film with your students. To enhance the learning experience, it is also suggested that actual participants of the Civil Rights Movement be invited to speak to the students after the viewing of the film.

Publicity

We encourage you to publicize your school's participation in *They Had a Dream Too* with the local media. Local attorney volunteers can assist with preparing and distributing press releases to your local television and radio stations and newspapers. Also consider using your school newspaper to publicize the program on campus.

Impact

We want to hear from you about your experience with *They Had a Dream Too*. If possible, please record your experience by video or with photographs. We would also appreciate your written comments so we can improve the program in years to come. Please send videos, photographs or written comments directly to the TYLA office at the following address:

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We are grateful to you for taking the time to participate in *They Had a Dream Too*. With *They Had a Dream Too*, we can help realize the dream by teaching today's youth that their voice counts.

Very truly yours,

TYLA's *They Had a Dream Too* Team

President: Karin Crump
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School Integration

TAKS OBJECTIVES COVERED:
US.2 C; US.7 A-C; US.21 A; 8.16 A and D; 8.17 B; US.17A

Brown v. Board of Education of Topeka

In the 1950s many schools, as well as many other public facilities in the United States, were racially segregated by the laws of the time. This was especially true in the Southern states. The precedent-setting *Plessy v. Ferguson* case, which was decided by the Supreme Court of the United States in 1896, allowed for such segregation. In that case, a black man, Homer Plessy, challenged a Louisiana law that required railroad companies to provide equal, but separate, accommodations for the white and African American races. He claimed that the Louisiana law violated the Fourteenth Amendment, which demands that states provide “equal protection of the laws.” However, the Supreme Court of the United States held that as long as segregated facilities were qualitatively equal, segregation did not violate the Fourteenth Amendment. In doing so, the Court classified segregation as a matter of social equality, out of the control of the justice system concerned with maintaining legal equality. The Court stated, “If one race be inferior to the other socially, the constitution of the United States cannot put them on the same plane.”

Sanctioned by the Court in *Plessy*, “Jim Crow” laws enforced the segregation of blacks, Hispanics, Asians and other people of color. The doctrine of “separate by equal” was the way of life in the segregated South and through out other parts of the United States. Restaurants, public transportation, residential neighborhoods, theaters, restrooms and drinking fountains were some of the facilities that had separate services for “whites” and “coloreds.”

Separate rarely meant equal. The “colored” facilities were usually inferior to the facilities for “whites” and schools were no different. Most states with separate schools for blacks and whites spent significantly less money on supplies, equipment or teacher salaries in black schools. Many black students had to walk past the white school or travel for miles to get to their school, only to arrive at a shabby schoolhouse with too few books and supplies.

The National Association for the Advancement of Colored People (the “NAACP”) was formed to fight Jim Crow legislation through out the country. With a host of

now famous black attorneys, most notably, Thurgood Marshall, the NAACP created a legal strategy to combat the inequalities of segregation in property ownership, voting rights, and jury pools. Turning the focus to schools, the NAACP initially insisted that separate be made equal. After working district by district to equalize the facilities at separate schools, the NAACP decided to challenge the doctrine itself.

By 1952, the NAACP brought five cases from South Carolina, Delaware, Virginia, Washington D.C. and the namesake case from Kansas before the Supreme Court under the name of *Brown v. Board of Education*. A combination of 200 parents and students, the plaintiffs challenged how the 14th Amendment was applied to education. Although, each case was slightly different, students played a crucial role.

South Carolina’s *Briggs v. Elliot* was brought before the court asking it to enforce an existing court order. Despite being ordered to equalize the inadequate facilities, transportation and teacher salaries, Clarendon County school officials had ignored the order.

The Delaware case, *Belton v. Gebhart (Bulah v. Gebhart)*, began in 1951 challenging the inferior condition of two black schools. The children at all-black Howard High School rode a bus for nearly an hour, passing the all-white local high school in addition to poor conditions at the school. Black students in rural Hockessin attended a run-down, one-room school house and were provided no transportation while the white students of the same town were provided transportation to a better school.

Davis v. County School Board of Prince Edward County from Virginia began as a protest by students, including Barbara Johns. Students at Robert Moton learned in cramped, overcrowded facilities. In a shoddy effort to expand the classrooms, the county constructed tar paper roof, make-shift buildings. In a double edged order, the District Court ordered that the facilities be made equal, but denied the students access to the white schools.

The students in the Washington D.C. case, *Bolling v. C. Melvin Sharpe*, were denied access to the all-white school for a field trip and were ordered to return to their inferior school.

In the namesake case from Kansas, Linda Brown and other black elementary students had to walk miles to school, some trudging through a railroad switch yard and dangerous terrain while passing several white schools on their way. Black parents tried to enroll their children in the white elementary schools, but were denied. Although white students in Topeka had access to eighteen schools, black students only had four. Linda's parents sued the school board arguing that the school system violated the equal protection clause of the Fourteenth Amendment of the Constitution. The *Brown* case was heard by a three-judge federal district court. This court found that segregation in public education had a detrimental effect upon black children, but the court denied that there was any violation of Brown's rights because of the "separate but equal" doctrine established in the Supreme Court's 1896 *Plessy* decision. The court found that the schools were substantially equal with respect to buildings, transportation, curricula, and educational qualifications of teachers. The Browns appealed their case to the Supreme Court of the United States, claiming that segregated schools were not equal and could never be equal.

On May 17, 1954, the United States Supreme Court rendered one of the most important decisions in U.S. history. They stated in their decision that racial segregation "violates the 14th Amendment of the Constitution, which guarantees all citizens equal protection of the laws." The unanimous *Brown* decision announced "in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal." Despite the order from the high court, the power to decide how to desegregate was left to the lower District Courts. The decision did not set out a timeline but, in a second case (*Brown II*) decided May 31, 1955, the court ordered schools to desegregate with "all deliberate speed." In response to *Brown*, Virginia closed its public school system for five years. Many other states followed suit or simply ignored the Court's order. By 1964, very few Southern states had integrated their schools. Despite the slow response of the school system, *Brown* served as a catalyst for the Civil Rights movement. With the power of the *Brown* decision behind them, leaders everywhere were inspired to desegregate other areas.

Discussion Questions and Activities

1. What right does the Fourteenth Amendment give citizens?
2. What problems did Linda Brown encounter in Topeka that eventually resulted in this case?
3. What precedent did the *Plessy v. Ferguson* (1896) ruling establish? How was that precedent related to *Brown*?
4. This case is based on what "equality" means. What are the conflicting points of view on this concept in this case?
5. At the heart of *Brown* was the 14th Amendment. Review the Declaration of Independence, the Constitution, specifically the 14th Amendment and discuss the meaning of equality. Also review the Supreme Court's decisions in *Dred Scott v. Sanford*, 60 U.S. 393 (1857), *Plessy v. Ferguson* 163 U.S. 537 (1896) and *Brown v. Board of Education*, 374 U.S. 483 (1954) and discuss with the students how their meaning of equality they have previously discussed applies to these cases.
6. Can "separate" be "equal"? Discuss things aside from race and education, such as gender, age and social status. Are separate bathrooms, dressing rooms, and schools based on gender fair? What about sports and sports competitions based on gender? What about communities for certain groups (senior communities, singles or couples)?
7. Is there equality in schools today? Discuss individual equality at your school or the differences between your school and other schools in the area and outside of your area.
8. You are a District Court judge interpreting the Supreme Court's ruling in *Brown*. Write an opinion explaining to school officials what "all deliberate speed" means.
9. How can the Supreme Court enforce its decisions? Is there any role of the other branches of government in enforcing the Court's decisions? Divide into three groups, each representing a branch of government. Discuss what power each group has to enforce legal decisions of the Judicial Branch, Executive Orders and actions of the Executive Branch and Legislations by the Legislative Branch.

Brown v. Board Resources:

Brown v. Board of Education of Topeka, 347 U.S. 483 (1954)

Brown v. Board of Education (II), 349 U.S. 294 (1955)

Plessy v. Ferguson, 163 U.S. 537 (1896)

Dred Scott v. Sanford, 60 U.S. 393 (1857)

www.landmarkcases.org/home.html

www.brownvboard.org

www.abanet.org/publiced/conversations/brown-vboard.pdf

www.abanet.org/yld/elibrary/memphis04pdf/BrownvBdLesson.pdf

www.brownvboard.info/decision.html

www.tolerance.org/teach/magazine/features/americanhistory.si.edu/brown

Barbara Johns

One young leader that emerged from the *Brown* cases was Barbara Johns. A plaintiff in the Virginia case, *Davis v. County School Board*, 16-year old Johns attended Robert Moton High School in Farmville, Virginia. The conditions were deplorable. Tired of the tar paper roof, the overcrowding and the inaction by the school officials, Johns organized a walk out.

Moton High School was built for 200, but had twice as many students. The students attended classes on school busses and in the auditorium because the classes were so cramped. Instead of building a new school or expanding the actual building, the officials put up tar paper shacks for extra classrooms. Johns was fed up! On April 23, 1951, she met with other students and organized a strike. They distracted the principal and met with the student body to vote on the strike. The students agreed on the walk out and received the support of their parents. Johns called two lawyers in Richmond, Virginia, Spotswood Robinson and Oliver Hill, to help her and her classmates in their cause. The NAACP lawyers agreed to represent the students in court. Along with the other plaintiffs, Johns made history as part of the *Brown* case.

Because the *Davis v. County School Board* case was one of the two earliest of the five *Brown* cases and because it was the only one initiated by a student protest, the 1951 strike at Moton High School is seen by some as the beginning of the Civil Rights Movement.

Discussion Questions and Activities:

1. Brainstorm issues about which you feel strongly. Draw up a plan of action to garner support.

Identify organizations that can help in the cause.

2. What other young people have done something that has resulted in change?
3. What is the importance of citizen participation?
4. Compare the photos of the school houses found in the lesson plan at <http://americanhistory.si.edu/brown/resources/two.html> (pictures attached). Write a letter to school officials asking for specific points of change.
5. What issues do you face in your school? Discuss the issues as an entire class. In small groups create a plan to present to the student body to address the issues of the entire class. Each group presents their plan to the class.

Barbara Johns Resources:

Davis v. County School Board of Prince Edward County, 103 F.Supp. 337 (1952)

Brown v. Board of Education of Topeka, 347 U.S. 483 (1954)

Brown v. Board of Education (II), 349 U.S. 294 (1955)

brownvboard.org/brwnqurt/02-3/02-3b.htm

www.pbs.org/wnet/jimcrow/stories_people_johns.html

www2.hsc.edu/news/archive/moton.html

americanhistory.si.edu/brown/history/4-five/detail/barbara-johns.html

www.jimcrowhistory.org/resources/narratives/Joan_Johns_Cobb.htm

www2.hsc.edu/news/archive/moton.html

Hampden-Sydney College

The Little Rock Nine

My name is Terry Roberts,
From Little Rock I come.
I went down to the schoolhouse,
The place they kept me from.
I went down to that schoolhouse,
And this is what I saw. . .
State troopers with steel helmets
In the State of Arkansas.

I went up to the troopers
And said, "Please let me in."
And all their guns were pointed
At the color of my skin.
They kept me from that schoolhouse
Where I'd be by law.
And that's what they call justice
In the State of Arkansas.

Now his name is Orval Faibus,
The governor of the state,
He sent his army charging down,
Nine kids at the gate.
Three hundred National Guard were there
Dressed up to fight a war,
And that is why I'm late for school
In the State of Arkansas.

Oh listen, Mr. Governor,
And Mr. President, too.
Give me that constitution
That's what you've got to do.
Give me that constitution
I ask for nothing more.
Yes, that's what I want to study
In the State of Arkansas.

I've traveled this wide world over,
Some ups and downs I've saw,
But I never knew what misery was
Til I hit old Arkansas.

State of Arkansas
PETE SEEGER

Terrence Roberts, one of the students who would become known as the Little Rock Nine, recalled the day he learned that the *Brown* decision would open the doors of Little Rock Central High School to black students. He had no doubt that he would walk through those doors, regardless of the obstacles facing him. Yet, it would be three years before he would actually enter Central High School

On May 20, 1954, only a few days after the *Brown* decree, the Little Rock School Board in Little Rock, Arkansas took heed of the court's decision and issued their own decree: "It is our responsibility to comply with the federal constitution requirements and we intend to do so when the Supreme Court outlines the method to be followed."

In 1955, the Court had reaffirmed the *Brown* ruling and clarified a timeline for the local school districts to integrate the schools "with all deliberate speed." Arkansas was one of two Southern states to announce it would begin immediately to take steps to comply with the new "law of the land." The University of Arkansas's law school had been integrated since 1949, and Blacks had been appointed to state boards and elected to local offices. Little Rock felt it could break down the barriers of segregation in its schools with a carefully developed program. It had already desegregated its public buses, as well as its zoo, library and parks system. Therefore, in May of 1955, the Little Rock School Board attempted to respond accordingly and began working with the local community to plan for the integration of the Little Rock schools. The School Board planned for the gradual integration of its public schools beginning with the high school grades in the fall semester of the 1957 school year, followed by junior high schools the next year and elementary schools the following year.

On September 23, 1957, the very first black children were set to enter an all white Central High School. These nine students, Melba Patillo, Elizabeth Eckford, Ernest Green, Gloria Ray, Carlotta Walls, Minnijean Brown, Jefferson Thomas, Thelma Mothershed, and Terrence Roberts, were collectively referred to as the Little Rock Nine.

But the smooth transition to the school system's integration was not to be.

On September 2, the night before school was to start, Arkansas Governor Orval Faubus called out the state's National Guard to surround Little Rock Central High School and prevent any black students from entering in order to protect citizens and property from possible violence by protesters he claimed were headed in caravans toward Little Rock. A federal judge granted an injunction against the Governor's use of National Guard troops to prevent integration, and they were withdrawn on September 20.

When school resumed on Monday, September 23, Central High was surrounded by Little Rock policemen. About 1,000 people gathered in front of the school. The police escorted the nine black students to a side door where they quietly entered the building as classes were to begin. When the mob learned the blacks were inside, they began to challenge the police and surge toward the school with shouts and threats. Fearful the police would be unable to control the crowd, the school administration moved the black students out a side door before noon.

U.S. Congressman Brooks Hays and Little Rock Mayor Woodrow Mann asked the federal government for help, first in the form of U.S. Marshals. Finally, on September 24, Mann sent a telegram to President Eisenhower requesting troops. They were dispatched that day, and the President also federalized the entire Arkansas National Guard, taking control of the situation away from the governor.

On September 25, 1957, the nine black students entered the school under the protection of 1,000 members of the 101st Airborne Division of the United States Army.

These students had to fight their own personal war against fear and intimidation. After being barred on their first attempt to enter the school, the Little Rock Nine were forced to face angry mobs on subsequent days. The crowds, described as "angry and violent," gathered outside the school ranged in sizes of up to 1,000 people. The stu-

dents faced daily physical and verbal assaults from white students, as well as death threats, and even attempts to harm their families by bombing their homes.

Inside the school, the great majority of the 2,000 students, the faculty and the administration worked to put the law of the land into effect. Though not all the white students favored desegregation, they felt it was their duty to obey the law. Besides, their priority was to get a first-class education and many helped the black students try to achieve the same thing, even though they were faced with pressures that were very difficult for teenagers to comprehend.

The year that followed was one in which the eyes of the world were focused on America as Little Rock Central High School went through its first year of integration. The tumultuous year ended on May 27, 1958, with commencement ceremonies for 601 graduating seniors, including Ernest Green, the school's first black graduate.

The Little Rock Nine stayed where they were, received the education they were entitled to, and finished the school year. The courageous actions of these young students helped to begin to open the door of education and opportunity to minority students across the nation. Tragically, in one last act of defiance, Governor Faubus closed all Arkansas public schools the next year, preventing the education of countless students, both black and white.

Timeline- The Little Rock Nine

September 1949 University of Arkansas School of Law is integrated.

January 1951 Little Rock Public Library board approves integrating its facilities.

May 17, 1954 The U.S. Supreme Court rules racial segregation in the public schools is unconstitutional in *Brown v. Board of Education of Topeka, Kansas*.

May 22, 1954 The Little Rock School Board issues a policy statement saying it will comply with the Supreme Court's decision when the Court outlines

the method to be followed and the time to be allowed for compliance.

May 24, 1955 The School Board votes unanimously to adopt Superintendent Virgil Blossom's plan of gradual integration that would start in September 1957, at the high school level and add the lower grades over the next six years. Mr. Blossom is named "Man of the Year" by the Arkansas Democrat for his work on desegregation.

January 23, 1956 Twenty-seven black students attempt to register in all-white Little Rock schools, but are turned down.

February 8, 1956 The NAACP files suit on behalf of 33 black children denied admittance to four white schools.

August 28, 1956 Federal Judge John E. Miller dismisses the NAACP suit, declaring the Little Rock School Board had acted in "utmost good faith" in its integration plan. The NAACP files an appeal.

April 29, 1957 The Eighth Circuit Court of Appeals in St. Louis upholds Judge Miller's dismissal.

Spring, 1957 There are 517 black students living in the Central High district and eligible to attend Central in the fall. Eighty express an interest in doing so. Following interviews with the Superintendent and staff, seventeen are selected for the first year of integration at Central. Eight of those later decide to remain at all-black Horace Mann High School.

Summer, 1957 With desegregation scheduled for September, opponents organize the Capital Citizens Council and the Mother's League of Central High School.

August 27, 1957 A member of the Mother's League files a motion seeking a temporary injunction against school integration. Pulaski County Chancellor Murray Reed grants the injunction "on the grounds that integration could lead to violence."

August 30, 1957 Federal District Judge Ronald Davies nullifies the injunction.

September 2, 1957 Governor Orval Faubus calls out the Arkansas National Guard to surround Little Rock Central High School to preserve the peace and avert violence that may be caused by extremists who came to Little Rock “in caravans.”

September 3, 1957 Judge Davies orders desegregation to start the next day.

September 4, 1957 The nine black students attempt to enter Central High but are turned away by the National Guard.

September 9, 1957 The Council of Church Women issues a statement opposing segregation and deploring the Governor’s calling out the guard. It calls for a city-wide prayer service for September 12.

September 20, 1957 Judge Davies rules that Faubus used the troops to prevent integration, not to preserve law and order as he claimed. The Governor removes the Guardsmen and the Little Rock Police Department takes over.

September 23, 1957 As a crowd of 1,000 mills around in front of the school, the nine black students go inside through a side door. A white student takes them to the principal’s office where they are to receive their class assignments. When the mob learns the students are inside, it becomes unruly and the police fear they will be unable to maintain control. The black students are taken out of the school through a side door.

September 24, 1957 Little Rock Mayor Woodrow Mann sends President Eisenhower a telegram asking for federal troops to maintain order and complete the integration process. The President announces he is sending 1,000 members of the 101st Airborne Division to Little Rock. He federalizes the 10,000-man Arkansas National Guard.

September 25, 1957 Under escort by the Army troops, the nine black students are escorted back into Central High.

October 3, 1957 Georgia Dortch and Jane Emery, editors of Central High’s student newspaper *The Tiger*, editorialize, “Looking back on this year will probably be with regret that integration could not have been accomplished peacefully, without incident, without publicity.” The editors encourage “each individual to maintain a sensible, peaceful neutrality; to accept the situation without demonstration, no matter what personal views are entertained; and to make these, your years in Little Rock Central High School, the happiest and most fruitful of your academic education.”

October 17, 1957 A Mother’s League petition to remove the federal troops who are there in violation of state and federal constitutions is dismissed by Judge Davies.

December 1957 Taunted by white male students, Minnijean Brown, one of the black students, dumps a bowl of chili on her antagonists in the cafeteria. She is suspended for six days.

February 6, 1958 Following additional altercations with white students, Minnijean Brown is suspended by the Board of Education for the remainder of the school year. She transferred to New Lincoln High School in New York City.

February 20, 1958 The Little Rock School Board files a request for permission to delay integration until the concept of “all deliberate speed” is defined and until effective legal means exists for integrating the schools without impairing the quality of the educational programs.

May 1, 1958 Central Principal Jess W. Matthews writes to the Seniors of 1958 in the school yearbook, “The graduating Class of 1958 will always stand out in my memory because...the class as a whole reacted so admirably to the shock of having the eyes of the

world focused on the school . . . and the class united in a very cooperative way to leave a fine record of achievement in Central in a year that will no doubt be mentioned in history books for a long time to come.”

May 27, 1958 Ernest Green becomes the first black student to graduate from Central High as he joins 600 senior classmates in commencement ceremonies at Quigley Stadium. Federal troops and city police are on hand but the event goes perfectly.

June 21, 1957 Federal District Judge Harry Lemley grants the delay of integration until January, 1961, stating that while black students have a constitutional right to attend white schools, the “time has not come for them to enjoy that right.” The NAACP appeals.

August 18, 1958 The Eighth Circuit Court of Appeals in St. Louis reverses the Lemley delay order.

August 21, 1958 The School Board requests the Appeals Court to stay the order overturning Judge Lemley’s decision for thirty days to allow the board time to appeal to the Supreme Court.

August 25, 1958 The U.S. Supreme Court announces a special session to discuss the Little Rock school desegregation issue.

August 1958 Governor Faubus calls a special session of the state legislature to pass a law allowing him to close public schools to avoid integration and to lease the closed schools to private school corporations.

September 12, 1958 The Supreme Court rules that Little Rock must continue with its integration plan. The School Board announces the opening of the city’s high schools.

September 15. Governor Faubus orders Little Rock’s three high schools closed.

September 16, 1958 The Women’s Emergency Committee to Open Our Schools is formed and asks for a special election as a way to keep the schools open.

September 27, 1958 Voters overwhelmingly oppose integration by a vote of 7,561 for and 129,470 against.

September 1958 Public high schools in Little Rock close for the year, sending the city’s 3,698 high school students to seek alternatives. More than 750 whites enroll in newly established private T.J. Raney High School. Others leave town or the state to live with friends or relatives to continue their education.

November 12, 1958 Five of the six members of the Little Rock School Board resign in frustration, having been ordered by a federal appeals court to proceed with integration of the high schools, even though it had no high schools to integrate.

December 6, 1958 A new school board was elected with its membership evenly divided between those favoring compliance and those favoring resistance to the court’s orders.

March 1959 Little Rock Chamber of Commerce votes 819 to 245 in favor of reopening the schools on a controlled minimum plan of integration acceptable to the federal courts.

May 5, 1959 Segregationist members of the School Board attempt to fire forty-four teachers and administrators suspected of integrationist sympathies. The three moderates on the board walked out, refusing to participate.

May 8, 1959 Stop This Outrageous Purge, or STOP, and the Women’s Emergency Committee are formed to recall the segregationist members of the board. On the other side, segregationists form Committee to Retain Our Segregated Schools (CROSS).

May 25, 1959 STOP wins the recall election by a narrow margin and the three segregationists are replaced by moderates on the School Board.

June 18, 1959 Federal court declares the state’s school-closing law unconstitutional. The new school board announces it would reopen the high schools in the fall.

August 12, 1959 School board opens public high schools a month early. Three black girls quietly attend the new Hall High School in the upper income all-white area of west Little Rock with no fanfare. Governor Faubus addresses a segregationist rally at the state Capitol and guardedly advised them against any “rambunctious protest.” Carrying American flags, about 250 people then marched to Central High to protest. This time Little Rock police take the offensive, quickly arresting twenty-one and calling in fire hoses to be turned on the remaining crowd, which dispersed. Jefferson Thomas and Carlotta Walls, two of the original Little Rock Nine, return to Central High for their senior year.

Fall 1972 All grades in Little Rock public schools are finally integrated.

Discussion Questions and Activities:

1. Was the integration of the Little Rock schools done “with all deliberate speed”?
2. What role, if any did politics play in Gov. Faubus’ decision to defy the court order to integrate?

3. Why was President Eisenhower reluctant to endorse the Supreme Court decision outlawing school desegregation?
4. What caused President Eisenhower to send federal troops into Little Rock?
5. In a letter to a friend, President Eisenhower wrote, “My main interest is not in the desegregation question.” What was Eisenhower’s principal concern in Little Rock?

The Little Rock Nine Resources:

www.loc.gov/exhibits/treasures/trr007.html
www.centralhigh57.org/The_Little_Rock_Nine.html
www.jimcrowhistory.org
www.cr.nps.gov/nr/travel/civilrights/strategy.html

Website Interface:

Go to www.theyhadadreamtoo.org to see more on the Little Rock Nine with Terrence Roberts.

Ruby Bridges

That first morning I remember mom saying as I got dressed in my new outfit, “Now, I want you to behave yourself today, Ruby, and don’t be afraid. There might be a lot of people outside this new school, but I’ll be with you.” That conversation was the full extent of preparing me for what was to come.

RUBY BRIDGES

For a little girl six years old going into a strange school with four strange deputy marshals, a place she had never been before, she showed a lot of courage. She never cried. She didn’t whimper. She just marched along like a little soldier.

CHARLES BURKS, U.S.
MARSHAL (RET.)

Three years after the Little Rock Nine braved angry mobs to attend high school, Ruby Bridges became the first African-American to integrate an elementary school. She did so by herself. In what has become known as a “Class of One” Ruby enrolled in William Frantz Elementary School in New Orleans, Louisiana.

Following yet another federal court order to desegregate public schools, New Orleans schools were ready to accept their first black elementary pupils on November 14, 1960. After attending a segregated kindergarten, Ruby Bridges was selected as one of five black children to lead integration. Fear and intimidation by angry white mobs caused one of the children to change her mind and opt to re-enroll in an all-black school. Of the remaining four, three were designated to attend school together, leaving Ruby as the only black student at her new school.

As it turned out, Ruby believed she was the *only* student at the school. When the white parents of Frantz Elementary students learned their school would no longer be segregated, most withdrew their children. The week Ruby started school attendance dwindled from 576 students to just Ruby and three white children. Those that remained at the school were taught in a separate classroom because their parents refused to have their children in class with a black child. Thus, Ruby sat alone every day in a classroom filled with empty desks.

With only Ruby and her teacher, Ms. Barbara Henry, the classroom experience was unique. Ms. Henry was a northerner and had no objections to teaching an integrated class; she was hired specifically to teach Ruby. Ms. Henry was blackballed by the other teachers who disparaged her for being willing to teach a black child. Ms. Henry and Ruby did everything together at school and most of their activities were confined to the classroom. Ruby was rarely allowed to go outside, so in addition to studying reading, spelling, and math, Ruby and Ms. Henry would clear space in the room to do jumping jack exercises.

The hardest part of her day, however, was not the education. On her trip to and from school, Ruby faced the

same dangers as the Little Rock Nine. White parents and youth gathered in throngs on the streets outside Frantz Elementary. Carrying placards and hurling epithets, the crowd presented an intimidating force. At one point, the protesters were carrying a baby coffin with a black doll in it. In order to assure Ruby’s safety, President Eisenhower ordered U.S. Marshals to escort the six-year-old to school. Peace was not to be had in the city, however, as race riots broke out across the city following Ruby’s enrollment at Frantz Elementary. Mobs of whites roamed the streets assaulting blacks, and looters vandalized stores.

When asked years later about her trip to school that first day, Ruby said she first believed the crowd was a normal New Orleans Mardi Gras parade. Seeing throngs of people shouting and throwing things is normal during Mardi Gras. Neither her parents nor the marshal escorts had told her anything about potential protesters. She did not realize the crowd was protesting at the school until she was inside and angry white parents rushed in to withdraw their children. In fact, Ruby and her mother watched as many parents shouted and pointed at them while taking their children from the school. Because of this disturbance Ruby was not able to start class until the following day.

Ruby was not the only one affected. When Lloyd Foreman, a white Methodist preacher, refused to withdraw his daughter from Ruby’s school, his family was targeted by the white mob. Another family, the Gabrielles, also refused to withdraw their children from Frantz Elementary. The Gabrielles were similarly targeted; however, the harassment was much worse. Their home was attacked with stones and rotten eggs and windows were broken. A crowd gathered in front of their house to heckle the family with threats of violence against their children. After three weeks of attempting to aid Ruby’s struggle, the Gabrielles withdrew their children from school and moved from Louisiana.

The Bridges family also suffered. Ruby’s father lost his job because he allowed his daughter to attend a “whites only” school. His employer received threats of a boycott from area whites if he retained a black man whose daughter attended a “white school”. Wanting what was best for Ruby in the long term, Mr. Bridges refused to withdraw

her from Frantz Elementary. Ruby's grandparents, sharecroppers in Mississippi, were forced off their land and had to relocate to Louisiana.

Fortunately the family received support from across the country. Many Americans who had followed Ruby's brave walk to school every day sent money to her family to help make ends meet. Ruby received many toys, books, and school clothes, all of which she shared with her siblings. Further, former First Lady Eleanor Roosevelt sent Ruby a letter of encouragement. Finally, Mr. Bridges was able to find work with a neighborhood man who owned a house painting business.

As the year progressed a few more white children returned to school. It was not until the end of the year neared, however, that Ruby was allowed to visit with the other students. Children whose parents would allow it were taught by Ms. Henry in the same class with Ruby. Meeting with the white children was when Ruby first understood racism. While her experience to that point had taught her about racism, she did not fully comprehend what was happening until a little white boy refused to play with her, saying that his mother told him not to because Ruby was black. Ruby writes, "At that moment it all made sense to me. I finally realized everything had happened because I was black It was all about the color of my skin."

The next year was nothing like Ruby's first at Frantz Elementary. More black children attended school, and many of the white children returned. Ms. Henry was not asked back. Ruby went through her second year feeling as if everyone had forgotten the first year of integration. Finally, Ruby adjusted to attending school with other students and without marshals and protesters. She was able to forget about the previous year and focus on her education. Ultimately she graduated from an integrated high school and attended business school. Later, she created the Ruby Bridges Foundation which promotes tolerance and understanding in an effort to end prejudice and racism. As Ruby says, "[W]hat we want as parents is a good education for our kids. It doesn't matter who they sit next to."

Discussion Questions and Activities:

1. Discuss the widespread effect on the community of Ruby attending Frantz Elementary.
2. What evidence do you find that the country was divided on the issue of integration?
3. What is the role of parents and adults in the Ruby Bridges story? Why is their role important?
4. Find someone who attended a school that was not integrated or in the process of integration. Report his or her experience.
5. Find out how any other state complied with the integration order.
6. Briefly discuss race relations in your school. Are there groups that resist integration; groups that are hostile to each other, etc.
7. Do you think full integration in schools has been achieved? Why or why not.

Ruby Bridges Resources:

Ruby Bridges, "Through My Eyes"
Robert Coles, "The Story of Ruby Bridges"
www.rubybridges.org/story.html
www.pbs.org/newshour/bb/race_relations/jan-june97/bridges_2-18.html
www.mtnbrook.k12.al.us/academy/6thgrade/ruby/rubyt.html
(Caution: from Alabama and refers to Ruby as a "colored" girl)
myhero.com/myhero/hero.asp?hero=rubybridges
www.myhero.com/myhero/hero.asp?hero=bridges_westminster

Bus Boycotts

TAKS OBJECTIVES COVERED:
US.2 C; US.7 A-C; US.21 A; 8.17 B; US.17 A

The Baton Rouge Bus Boycott

In 1953 a small group of black citizens challenged the laws of segregation through a bus boycott. In Baton Rouge the rule stated that there was to be a row of ten seats for whites in the front. This was true even if there were no whites getting on the bus. After arguments by the local black Baptist minister, the city council struck down the law, creating a new ordinance. This new ordinance stated that blacks were allowed to occupy the seat, as long they did not sit in the same row or in front of a white person.

The new ordinance was not enforced. Black passengers were hassled if they tried to follow the new ordinance. Despite bus officials ordering drivers to enforce the law, the Louisiana attorney general finally declared the ordinance unconstitutional.

Therefore, the Baton Rouge bus boycott began on June 20, 1953. Vehicles were offered for free rides and by the end of the day on the 20th, busses in Baton Rouge were devoid of black riders. Black and white leaders came together and formed a truce, allowing the spirit of the original ordinance to prevail. Black riders would still board busses from the back. White riders would still board from the front. But black riders would be able to sit anywhere on the bus as long as it was behind a white rider. On June 24, 1953 the Baton Rouge bus boycott ended.

Even though it did not abolish segregation in Baton Rouge, the four day boycott was successful in achieving its goals and served as the blueprint for the Montgomery boycotts to follow.

Discussion Questions and Activities

1. What additional steps could the Baton Rouge boycotters have taken to desegregate the busses in Louisiana?
2. What type of sacrifices did the boycotters have to make in order to boycott?
3. Who are the members of your city's city council? What recent ordinances have been passed or discussed? Attend a meeting and report back to the class regarding your thoughts on city government.

Baton Rouge Bus Boycotts Resources

www.lib.lsu.edu/special/exhibits/boycott/background.html

www.lpb.org/programs/brbusboycott/background.html

Claudette Colvin

The segregated bus system in Montgomery, Alabama was difficult on the black community. Blacks were often required to pay their fare at the front of the bus but enter from the back of the bus. White drivers would sometimes pull away before they could re-board. On the bus, blacks sat behind a barrier that divided the passengers, but as the bus filled the barrier was pushed back to make room for white passengers.

In 1955 Claudette Colvin was fifteen years old. She was a high school student at Booker T. Washington High School. She was a member of the NAACP Youth Council.

She was not a law breaker, but on March 2, 1955 in Montgomery, Alabama, she did just that. Riding home on a Capital Heights bus, Claudette was sitting with three other blacks when four whites boarded the bus. Colvin refused to give up her seat to one of the white passengers. She had decided she was not going to take it anymore. At fifteen, Colvin was dragged off the bus by two police officers, arrested for violating local law and taken to jail.

Although marked as a troublemaker by some in her community, Claudette stood up for her rights and joined three other women in a lawsuit against the city titled

Browder v. Gayle. This case later played a significant role in ending bus segregation.

Years later, Claudette says that her courage to practice civil disobedience came from her studies in school and learning about the injustices of Jim Crow laws. Although she received little notoriety for her actions, her courage in refusing to give up her seat ushered in one of the most famous actions of the Civil Rights Movement, the Montgomery Bus Boycott.

Discussion Questions and Activities

1. It is March 3, 1955, as editor of the Booker T. Washington High School Newspaper in Montgomery, Alabama, report on classmate Claudette Colvin's actions.

Research the incident, and surrounding circumstances, include interviews with the local officials, Colvin and other classmates.

2. Discuss why Claudette Colvin would break the law.
3. Why would others in the black community see Colvin as a troublemaker?

Claudette Colvin Resources

www.montgomeryboycott.com/profile_colvin.htm
Bus Ride to Justice, Fred Gray, New South Books
1995

The Montgomery Bus Boycott

Claudette Colvin was not the only person in Montgomery to refuse to give up her seat in 1955. On October 21, 1955, 18-year-old Mary Louise Smith was ordered to give up her seat on a Montgomery, Alabama city bus to a white female passenger. When she refused, she was taken to jail and charged with failure to obey segregation orders. The actions of these two young women served as a catalyst to a much more famous incident in the civil rights struggle of the 1950's.

Fred Gray, attorney in the Claudette's *Browder* case recalls in his book, Bus Ride to Justice, that he discussed Claudette's actions with Rosa Parks before Parks took her famous stand. Nine months after Claudette Colvin refused to give her seat up on a segregated Montgomery bus, Rosa Parks too refused to give her seat up to a white man. The incident began on December 1, 1955, a bus driver ordered Ms. Parks to give up her seat to a white man and move to the back of the bus. When she refused, she was arrested and convicted for disorderly conduct and for violating a local ordinance. Ms. Parks' act of

defiance sparked the beginning of the Montgomery Bus Boycott which was led by Dr. Martin Luther King, Jr.

The Women's Political Council first organized a one-day boycott to coincide with Ms. Parks' trial. However leaders in the black community gathered together and endorsed the boycott. In addition, white minister Robert Graetz, offered his support to the boycott and spoke from the pulpit to his predominantly white Lutheran church.

Following Ms. Parks' conviction for violating the segregated seating laws, the Montgomery Improvement Association (MIA), with Martin Luther King as its president, continued the bus boycott. Throughout the boycott, the Montgomery police threatened taxi drivers for discounting fares for black riders and harassed black drivers who were carpooling.

The Montgomery chapter of the National Association for the Advancement of Colored People (NAACP) prepared a legal challenge to Montgomery's segregated bus

system. On February 1, 1956, the NAACP filed a lawsuit in federal district court on behalf of Claudette Colvin, Aurelia Browder, Susie McDonald, and Mary Louis Smith. The lawsuit, *Browder v. Gayle*, was filed against Mayor William A. Gayle, the city's chief of police, representatives from Montgomery's board of commissioners, the Montgomery City Lines, two bus drivers, and representatives of the Alabama Public Service Commission. The NAACP argued that the segregation of whites and blacks on privately owned buses operated by the City of Montgomery violated the Fourteenth Amendment of the U.S. Constitution. Each of the four women had either been required by a bus driver or by the police to comply with the segregation laws or had been arrested and fined for refusing to do so. The Montgomery City Lines, Inc. admitted that it was operating the buses pursuant to a State Court order which required that the buses be operated so that separate but equal accommodations were provided for whites and blacks.

In its June 5, 1956, opinion, the District Court ruled that the Alabama statutes and Montgomery city ordinances that required segregation on the motor buses in the City of Montgomery violated the Fourteenth Amendment of the U.S. Constitution.

The Fourteenth Amendment states:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The District Court stated that the Fourteenth Amendment "requires equality of treatment before the law for all persons without regard to race or color." The Court relied on the U.S. Supreme Court's decision in *Brown v. Board of Education of Topeka*, which struck down the use of the "separate but equal doctrine" in the field of public education and made clear that its decision was not limited to public education. The District Court found that the separate but equal doctrine could no longer be followed as a

correct statement of law. The Court further stated, "The application of that doctrine cannot be justified as a proper execution of the state police power."

On November 13, 1956, in *Browder v. Gayle*, the U.S. Supreme Court affirmed the District Court's decision. On December 17, 1956, the Supreme Court rejected city and state appeals to reconsider their decision. Three days later Montgomery received the order to integrate the buses. That day, Dr. King ended the successful boycott saying, "This morning the long awaited mandate from the United States Supreme Court concerning bus segregation came to Montgomery. In the light of this mandate and the unanimous vote rendered by the Montgomery Improvement Association about a month ago, the year old protest against city buses is officially called off, and the Negro citizens of Montgomery are urged to return to the busses tomorrow morning on a non-segregated basis."

The boycott had lasted more than one year until the Supreme Court's mandate required the desegregation of buses. During the boycott, nearly 50,000 daily fares were lost to the bus company. The boycott was a hardship on all blacks, young and old, as buses were their primary means of transportation. However, the sacrifice was well worth the hardships it had caused.

*Discussion Questions
and Activities:*

1. Research the actions of Claudette Colvin and Rosa Parks. Write interview questions for each woman. With another student, role play the interview based on the information learned from the research.
2. It is February, 1955. Construct a plan to boycott the segregated bus system in Montgomery, Alabama. Discuss the steps to be taken, create a timeline and rules of participation for the other boycotters. What obstacles can you anticipate?
3. Divide into two groups- one group represents the city officials and one group represents the boycotters. Have each group brainstorm the issues involved and create arguments for their position. The groups must then negotiate a resolution to their disagreement.

4. What other boycotts or demonstrations went on in cities around the South during this time?
5. Review the newspaper for the next three days. Are there any current issues with national, state or local governments that discuss civil rights, recent changes in law that seem unfair or an issue that has personal importance? Write a letter to the editor of your local paper discussing the issue.

The Montgomery Bus Boycott
Resources:

Browder v. Gayle, 142 F.Supp. 707 (M.D. Ala. 1956)
Bus Ride to Justice, Fred Gray, New South Books
1995

www.montgomeryboycott.com/bio_colvin.htm
inquirer.stanford.edu/Fall2004/vdlt/Unsung.html
www.findarticles.com/p/articles/mi_m1355/is_9_107/ai_n11834082
www.africanaonline.com/montgomery.htm
www.tolerance.org/teach/activities/activity.jsp?cid=388
www.law.stetson.edu/courses/casedigests/browder.pdf
www.stanford.edu/group/King/about_king/encyclopedia/bus_boycott.html
www.stanford.edu/group/King/about_king/encyclopedia/browderygayle.htm

Sit-In Movement

TAKS OBJECTIVES COVERED:
US.2C; US.7 A-C; US.21A; 8.17B

The Greensboro Four

*'Twas down in Mississippi not so long ago,
When a young boy from Chicago town stepped through a Southern door.
This boy's dreadful tragedy I can still remember well,
The color of his skin was black and his name was Emmett Till...*

*Some men they dragged him to a barn and there they beat him up.
They said they had a reason, but I can't remember what.
They tortured him and did some evil things too evil to repeat.
There was screaming sounds inside the barn, there was laughing sounds out on the street...*

*If you can't speak out against this kind of thing, a crime that's so unjust,
Your eyes are filled with dead men's dirt, your mind is filled with dust.
Your arms and legs they must be in shackles and chains, and your blood it must refuse to flow,
For you let this human race fall down so God-awful low!*

The Death of Emmett Till

BOB DYLAN

In August of 1955, fourteen year old Emmett Till traveled from Chicago, Illinois, to visit his mother's family in Money, Mississippi. When he crossed the Mason-Dixon Line, he entered another world permeated with the evils of Jim Crow. Though he might have experienced segregation in Chicago, the outgoing youngster had little concept of how hostile white southerners would react to "uppity Northern Negroes." Unknown to the self-assured teenager, a simple whistle from his lips to a white woman would lead to the end of his life. Emmett Till did not understand that he had broken the unwritten laws of the Jim Crow South, until three nights later. On a Sunday night, at 2:30 in the morning, two white men dragged Emmett from the bed that he shared with his baby cousin, dragged him outside in the dead of night, beat him brutally and then shot him in the head.

Although his killers were arrested and charged with murder, they were both acquitted quickly by an all-white, all-male jury. Shortly afterwards, the defendants sold their story to *Look* magazine, with a detailed account of how they murdered the fourteen-year old. The murder and the trial horrified the nation and the world. The brutal killing of young Emmett Till was a spark that helped mobilize the Civil Rights Movement.

Although the recent changes in the laws had helped to advance recent strides in the area of civil rights, including the *Brown v. Board* U.S. Supreme Court decision, the 1955-56 Montgomery bus boycott and the 1957 desegregation of Little Rock Central High School in Arkansas, by 1960 the movement had hit a lull, and the time had come for someone to take up the call for change.

In 1960, six years after the United States Supreme decreed that "separate was inherently unequal," many parts of the country ignored the Court's ruling and continued to abide by the ubiquitous motto "Segregation Then, Now and Forever." The college town of Greensboro, North Carolina, was no different, but some of Greensboro's young students who attended the local institutions of higher education had had enough of the old system.

On February 1, 1960, four North Carolina A&T State University freshmen changed the course of American history. Later known as the Greensboro Four, Ezell Blair, Jr. (now Jibreel Khazan), David Richmond, Franklin McCain and Joseph McNeil began a sit-in at the local Woolworth's lunch counter. This act of simply sitting down to order food in a restaurant that refused service to anyone but whites is now widely regarded as one of the

pivotal moments in the American Civil Rights Movement. The impatience and idealism of these four young men whose moral courage at ages seventeen and eighteen not only changed public accommodation laws in North Carolina, but also served as a blueprint for nonviolent protests for the rest of the movement. These friends not only inspired one another to organize and stage a nonviolent demonstration, but they also encouraged each other to commit to this act and follow the path to its indefinite conclusion.

On February 1, dressed in their Sunday best, the four men sat down at the lunch counter. Frank McCain remembers that he knew then this would be the high point of his life: "I felt clean... I had gained my manhood by that simple act." The four were refused service. When they did not leave, the store manager closed the lunch counter. In the days that followed, they were joined by more students from local colleges. The Civil Rights Movement was the first major social movement to be covered by television news, so word of the events in Greensboro spread across the nation like a prairie fire. Within just a few days, students were conducting sit-ins at lunch counters in fifty-four cities around the South.

Although Greensboro's civic leadership pressured the president of North Carolina A&T to halt the protests, he counseled the students to follow their own consciences. Finally, after months of protests, the Woolworth management quietly integrated its lunch counter during the summer when students were not around.

The fortitude displayed by these young college students demonstrates how a small group of determined individuals can galvanize a mass movement, spur others to action, and focus a nation's attention on justice and change. Follow the timeline below and go back in history.

Timeline-Sit-Ins

February 1, 1960 Ezell Blair Jr. (Jibreel Khazan), David Richmond, Joseph McNeil, and Franklin McCain enter the Elm Street Woolworth's at 4 p.m., purchase school supplies and "sundry" items. They then approach the lunch counter and order coffee at 4:30 p.m. They are refused service. The four remain in their seats until closing at 5 p.m.

February 2, 1960 Twenty-five men and four women enter Woolworth's and continue the sit-in.

February 3, 1960 Students occupy sixty-three of the sixty-five seats available at the Woolworth's lunch counter.

February 4, 1960 Three white women from the Woman's College join the demonstrations, as do students from other area colleges. Sit-ins begin at the S.H. Kress store across the street.

February 5, 1960 More than 300 students are taking part in the protest.

February 6, 1960 Hundreds of students, including the A&T football team, descend on the downtown area. This day becomes known as "Black Saturday."

February 7, 1960 Black students in Winston-Salem and Durham hold demonstrations at lunch counters.

February 9, 1960 Demonstrations begin in Raleigh.

Third week of February, 1960 Demonstrations move to other states throughout the south. Support of picketing has begun in northern cities against Woolworth's and other chain stores.

February 23, 1960 The Greensboro Woolworth's lunch counters reopen.

February 27, 1960 The Zane Committee mails more than 5,000 surveys to citizens asking for their opinions.

March, 1960 Edward Zane receives more than 2,000 letters on the sit-ins, with 73 percent favoring equality of service on some basis. The Greensboro Woolworth's store ranked 64th in retail out of more than 2,000 Woolworth stores. Zane calls together managers from eight downtown stores to force the issue of desegregation.

March 31, 1960 Edward Zane goes to the students at A&T to tell them of the Committee's failure to secure integration.

April 1, 1960 Demonstrations resumed.

April 3, 1960 Thurgood Marshall, national counsel for the NAACP, speaks at Bennett College, warning against accepting “token integration”.

April 15-17, 1960 The Student Nonviolent Coordinating Committee (SNCC) is formed in Raleigh by a group of Shaw University students

July 25, 1960 The first black ate a meal, sitting down, at Woolworth’s in Greensboro.

The wave of direct action started by the Greensboro Four led to the formation of the Student Nonviolent Coordinating Committee (SNCC) in April of 1960 at Shaw University in nearby Raleigh. SNCC’s purpose was to

advance the sit-in movement that was started a few months earlier in Greensboro. These sit-ins were peaceful and respectful. The students dressed in their best, would go to the lunch counter and asked to be served. If they were not, they would move on. If they were arrested, another group of students would take their place. The movement was a success. Despite numerous student arrests, sit-ins occurred in more than fifty cities in nine states. Indeed, what started as four in February 1960 had increased to over 70,000 participants by August of 1961. In October, SNCC sponsored a conference at the Atlanta University Center for students from all over the country to discuss strategy and tactics for promoting social reform. SNCC continued its efforts, using the sit-in technique to integrate other public facilities such as movie theaters and pools. The movement showed that nonviolent direct action by young people was a powerful tool in the movement.

Swim-ins

Not only were there sit-ins there were also “swim-ins” led by young leaders. As a child in Columbus, Ohio, in the 1950s, Doreen Lousy and her brother entered a whites only community pool and took a swim. Whites reacted by jumping out of the pool and screaming “We don’t want you in our pool!” Lousy and other black children across the country were making continuing to make a splash in the movement.

Discussion Questions and Activities:

1. The sit-in movements involved direct action and civil disobedience. Research the teachings of Dr. Martin Luther King, Jr. and explain what those two terms mean.
2. What are the differences between violent action and nonviolent action? What does each accomplish? Is King’s philosophy effective?
3. What are Dr. King’s stages in the nonviolent movement?
4. King’s philosophy on nonviolent direct action was inspired by the teachings of Gandhi. Compare the philosophies of both. What elements of each did the students of the sit-in movement employ?

5. How effective was civil disobedience in achieving the goals of the civil rights movement?
6. Aside from the Fourteenth Amendment, what other civil rights did the sit-in movement address?
7. How did the civil rights movement use the rights of assembly and petition, and freedom of speech and of the press used to help achieve the goals?

Sit-In Resources:

www.sitins.com/timeline.shtml
www.pbs.org/wgbh/amex/till/sfeature/sf_segregation.html
www.pbs.org/independentlens/februaryone/sitin.html
www.thekingcenter.org/prog/non/glossary.html
edsitement.neh.gov/view_lesson_plan.asp?id=326

Website Interface:

Go to www.theyhadadreamtoo.org to see more on the Greensboro Four with Franklin McCain, SNCC and other sit-ins with Julian Bond, and the swim-in with Doreen Lousy.

Freedom Rides

TAKS OBJECTIVES COVERED:
US.2C; US.7A-C; US.21A; 8.17B; US.17A

The Long Ride to Freedom: from Plessy v Ferguson to the Freedom Rides

As discussed earlier, 1896, the United States Supreme Court handed down a decision, which blessed the end of the Reconstruction period after the Civil War, legalized discrimination against black citizens again and hastened the domination of another bitter era of oppression in America known as “Jim Crow”. The significance of this case requires more detailed case study. In *Plessy v. Ferguson*, a majority of the highest Court in the land, without the assistance of Justice Harlan who dissented, declared that the principle of ‘separate but equal’ as the law of the land. This nineteenth century Supreme Court, with their rulings in *Dred Scott* in 1857 and the other civil right cases in 1883, had already shown a proclivity to curtail the enforcement of the Fourteenth Amendment when it came to certain U.S. citizens’ individual rights. Finally, in the *Plessy* decision, the Court confirmed its approval of the country’s ways to segregate the races and allowed this regressive approach toward black Americans to continue. In the language of the day, Justice Brown of Michigan made it ever so clear that the majority clearly needed to finesse the supporting words for this seminal decision of the Court, because they did not have a leg to stand on, legally speaking.

This case turns upon the constitutionality of an act of the general assembly of the state of Louisiana, passed in 1890, providing for separate railway carriages for the white and colored races

...translated...

Is it okay, under the United States Constitution, for the state of Louisiana to make it illegal for black and white people to ride in the same train cars?

The whole plea is contained in the fourteenth ground, which is as follows: That the statute in question establishes an insidious distinction and discrimination between citizens of the United States, based on race, which is obnoxious to the fundamental principles of national citizenship, perpetuates involuntary servitude, as regards citizens of the colored race, under the merest pretense of promoting the comforts of passengers on railway trains, and in further respects abridges the

privileges and immunities of the citizens of the United States, and the rights secured by the thirteenth and fourteenth amendments of the federal constitution

...translated ...

Mr. Plessy believes that he can bring this case to court under the Thirteenth Amendment, which abolished slavery, and the Fourteenth Amendment, because the Louisiana statute that segregated all modes of public transportation was against these Constitutional Amendments.

That petitioner was a citizen of the United States and a resident of the state of Louisiana, of mixed descent, in the proportion of seven-eighths Caucasian and one-eighth African blood; that the mixture of colored blood was not discernible in him, and that he was entitled to every recognition, right, privilege, and immunity secured to the citizens of the United States of the white race by its constitution and laws; that on June 7, 1892, he engaged and paid for a first-class passage on the East Louisiana Railway, from New Orleans to Covington, in the same state, and thereupon entered a passenger train, and took possession of a vacant seat in a coach where passengers of the white race were accommodated; that such railroad company was incorporated by the laws of Louisiana as a common carrier, and was not authorized to distinguish between citizens according to their race, but, notwithstanding this, petitioner was required by the conductor, under penalty of ejection from said train and imprisonment, to vacate said coach, and occupy another seat, in a coach assigned by said company for persons not of the white race, and for no other reason than that petitioner was of the colored race; that, upon petitioner’s refusal to comply with such order, he was, with the aid of a police officer, forcibly ejected from said coach, and hurried off to, and imprisoned in, the parish jail

...translated...

Homer Adolph Plessy was a successful Louisiana businessman living in Baton Rouge. Comfortable in the society of both racial groups, Plessy had one-eighth black blood. Although he did not consider himself African American, Louisiana law defined him as an “octoroon,” one-eighth African American. If one looked at him, one could not tell he was black. He, and others,

formed a committee to challenge the Louisiana Jim Crow laws. Plessy intentionally broke the law in order to initiate a case. Returning by rail from New Orleans to Baton Rouge, Plessy was asked by railroad officials to sit in the segregated area of the train. He refused. Arrested and charged, Plessy petitioned the Louisiana Supreme Court for a writ against Ferguson, the trial court judge, to stop the proceedings against him for criminal violation of the state law. But the Louisiana State Supreme Court refused. Convicted and fined, Plessy then appealed to the Supreme Court of the United States.

If the two races are to meet upon terms of social equality, it must be the result of natural affinities, a mutual appreciation of each other's merits, and a voluntary consent of individuals

...translated

We cannot force black and white folks to like each other or respect each other...they will have to come to that one on their own (notwithstanding that the United States had sponsored the legal separation of the races for over two hundred years in the form of slavery).

We consider the underlying fallacy of the plaintiff's argument to consist in the assumption that the enforced separation of the two races stamps the colored race with a badge of inferiority. 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

...translated ...

Mr. Plessy is wrong to think that just because the law restricts black people's rights, unlike their white brethren, it is black folks fault and problem if this makes them feel inferior. It is not anything white folks or the government has done to contribute to this side effect of segregation.

The argument necessarily assumes that if, as has been more than once the case, and is not unlikely to be so again, the colored race should become the dominant power in the state legislature, and should enact a law in precisely similar terms, it would thereby relegate the white race to an inferior position. We imagine that the white race, at least, would not acquiesce in this assumption. The argument also assumes that social prejudices may be overcome by legislation, and that equal rights cannot be secured to the negro except by an enforced commingling of the two races. We cannot accept this proposition. As was said by the court of appeals of New York in

People v. Gallagher, 93 N. Y. 438, 448: 'This end can neither be accomplished nor promoted by laws which conflict with the general sentiment of the community upon whom they are designed to operate. When the government, therefore, has secured to each of its citizens equal rights before the law, and equal opportunities for improvement and progress, it has accomplished the end for which it was organized, and performed all of the functions respecting social advantages with which it is endowed.' Legislation is powerless to eradicate racial instincts, or to abolish distinctions based upon physical differences, and the attempt to do so can only result in accentuating the difficulties of the present situation. If the civil and political rights of both races be equal, one cannot be inferior to the other civilly or politically. If one race be inferior to the other socially, the constitution of the United States cannot put them upon the same plane.

...translated...

"Separate is equal"! ... What else do you expect or want?... You ought to be content with that.

The following words of Justice Harlan's dissent did not carry the weight of the day. However, the meaning in his words was discovered by a young group of twentieth century activists who seventy years later, like Homer Plessy, simply wanted to ride the rails and roads of public transportation "under the equal protection of the law."

If a white man and a black man choose to occupy the same public conveyance on a public highway, it is their right to do so; and no government, proceeding alone on grounds of race, can prevent it without infringing the personal liberty of each...

... It is quite another thing for government to forbid citizens of the white and black races from traveling in the same public conveyance, and to punish officers of railroad companies for permitting persons of the two races to occupy the same passenger coach.

If a state can prescribe, as a rule of civil conduct, that whites and blacks shall not travel as passengers in the same railroad coach, why may it not so regulate the use of the streets of its cities and towns as to compel white citizens to keep on one side of a street, and black citizens to keep on the other? Why may it not, upon like grounds, punish whites and blacks who ride together in street cars or in open vehicles on a public road or street? Why may it not require sheriffs to assign whites to one side of a

court room, and blacks to the other? And why may it not also prohibit the commingling of the two races in the galleries of legislative halls or in public assemblages convened for the consideration of the political questions of the day? Further, if this statute of Louisiana is consistent with the personal liberty of citizens, why may not the state require the separation in railroad coaches of native and naturalized citizens of the United States, or of Protestants and Roman Catholics?

In *Morgan v. Commonwealth of Virginia*, the Court attempted to right the wrong it had made in the *Plessy* decision and declared segregation in interstate travel unconstitutional. On July 14, 1944, Irene Morgan boarded a bus from Gloucester, Virginia, to Baltimore and was passing through Richmond, Virginia, when she was told that she was defying that state's 1930 law, which mandated segregation on buses that traveled in and through its state. She refused to move and although she had paid for a full fare from Virginia to Baltimore, she was removed from the bus. A state court rejected her argument that she had a right to sit where she pleased like her white counterparts. However, in 1946, in a legal blow to Jim Crow laws, Justice Reed wrote for a seven-to-one majority; stating that Virginia had no right to impose segregation beyond its borders. Segregation on interstate bus travel was ended. It took similar refusal by Claudette Colvin, Rosa Parks and others in Birmingham, Alabama, in 1955 to extend the same principle to bus travel within a state. The boycott finally achieved its goal on November 13, 1956, when the Supreme Court, in *Browder v. Gayle*, declared Montgomery's bus segregation law unconstitutional. By December 1956, the city was forced to desegregate its buses. Not long after in 1960, the Court struck again in *Boynton v. Virginia*, and extended the *Morgan* ruling to bus terminals used in interstate bus service. Although the law must be respected and enforced, many Southern states during this time simply did not respect the Supreme Court's actions as it began to strike down these segregation laws. Attempting to integrate, many black Americans were ejected, arrested or worse, assaulted, beaten, kidnapped, and murdered.

In 1961 in many parts of the South, segregation's grip seemed to tighten its hold. So in 1961, a civil rights group, the Congress on Racial Equality ("CORE") began to

organize Freedom Rides. Hundreds of young volunteers from CORE and the Student Nonviolent Coordinating Committee ("SNCC") and all across the country traveled to the South to test compliance with the Court's decisions by riding from Washington, D.C., to New Orleans. In the same fashion of Ralph Waldo Emerson, Mahatma Gandhi, and Dr. Martin Luther King, Jr., the "freedom riders" practiced a form of civil disobedience that was nonviolent. These young activists set out to test the validity of the words of not only Justice Harlan but also the more recent words handed down by the Supreme Court in 1946, in the *Morgan* case.

CORE was formed in 1942 by black and white activists alike whose common goal was to lobby for equal civil rights for all persons. CORE organized nonviolent action to protest blatant racial discrimination. This type of protest was effective in part because, like Gandhi, it created a sense of moral shame in the opponent. After three days of training in nonviolent techniques, young volunteers prepared to travel through the Deep South. On a spring day black and white students boarded buses, rode side by side, through state lines and tested the strength of their personal liberty "to choose to occupy the same public conveyance on a public highway," against the harsh reality of the South.

On May 4, 1961, the National Director of CORE, James Farmer, and thirteen other volunteers left Washington, D.C. for New Orleans. Included were John Mahoney, John Lewis, James Zwerg, James Peck, Frederick Leonard, Diane Nash, and William Sloan Coffin, and nearly 400 other Freedom Riders, three-fourths of whom were under age of thirty. Most were male and evenly divided between black and white. They planned to use public bus services along their journey to travel a route through the deep South, at the time, known as the worst area of segregation and racism in America.

The trips enabled students from both the south and the north to protest away from campus and to form a tightly-knit community of activists. Technically, the students did not engage in civil disobedience because they had the clear legal right to disregard any segregation rules in the states they visited concerning interstate public facilities. However, the volunteers still had to use the doctrine

of nonviolent resistance in facing both mob violence and mass arrest by authorities who were determined to stop this protest. The Freedom Riders faced much resistance to their cause but had support from many sympathizers and leading figures in the movement, including Dr. Martin Luther King, Jr.

The original group of seven blacks and six whites, left Washington D.C. on two buses, a Trailways and a Greyhound, and made it through Virginia and North Carolina without incident. At the Greyhound bus station in Rock Hill, South Carolina, the group encountered violence. A mob of twenty attacked the group, and John Lewis was the first to be hit as he approached the white waiting room. Police eventually interfered, and the group was allowed access to the white waiting room. The journey continued to Georgia. After leaving Atlanta, the Greyhound bus was stopped as it entered Alabama. As one bus approached Alabama, a mob surrounded it, the tires were slashed, and the bus was set on fire. The group was not deterred, taking another bus to continue the rides. They did not know for sure, but must have expected the worst of the violence was yet to come, in Birmingham.

When the Trailways bus arrived in Anniston, Alabama, the driver would not continue until the group sat in a segregated fashion. Before their arrival, Anniston local authorities had given permission to the Ku Klux Klan (“KKK”) to strike against the Freedom Riders without fear of arrest. As the bus pulled up, the driver yelled outside, “Well, boys, here they are. I brought you some niggers and nigger-lovers.” After a series of standoffs, one of the buses was firebombed, and its fleeing passengers were forced into the angry white mob. A violent mob boarded the bus and beat the black passengers who remained.

A mob carrying iron pipes greeted them on arrival in Birmingham, Alabama. The infamous Police Chief Eugene “Bull” Connor’s police force did not provide any protection and many students were battered, knocked unconscious, and hospitalized. The group gathered the next day and prepared to head on to Montgomery, but no bus would take them. A mob gathered as they waited in the white waiting room, and finally James Farmer decided that the group would make their way to their final destina-

tion, New Orleans, but this time they would not arrive there by bus but by airplane, thereby ending the first freedom ride.

Many protesters were left feeling defeated and almost gave up until the intervention of the protest group SNCC. The student-based SNCC, took over the organization and peopling of the protest. Led by a Fisk University student, John Lewis, SNCC pledged to see the Freedom Rides through until it reached its final destination, New Orleans.

SNCC was determined to continue the rides to prove that violence could not stop them. SNCC, along with the Nashville Student Movement, organized a group that met in Nashville. They were determined to go on to Birmingham and Montgomery, then on to Mississippi and New Orleans. On May 17, 1961, Birmingham by Birmingham Public Safety Commission, Bull Connor arrested a group of eight blacks and two whites just outside Birmingham. They spent the night in jail and then Connor literally drove them out of town. For several days, the young activists were stranded on the Tennessee border, while they waited for a bus willing to drive them.

At the same time President John F. Kennedy was concerned about the violence and bus burnings that had occurred during the first Freedom Ride the previous week. He telephoned the governor of Alabama and insisted that it was the government’s responsibility to guarantee safe passage of interstate travelers. A bus with police and helicopter escort was then sent to Birmingham to take the Freedom Riders on to Montgomery. Once the group arrived in Montgomery however, the local protection disappeared and more violence ensued.

A crowd of three hundred gathered. Approximately twenty-five of them armed with clubs and sticks began beating the newsmen and cameramen. When the other bus reached Birmingham, the violence that greeted it left one of the protesters, Jim Zwerg, severely injured. When he got off the bus he was greeted with derogatory racial slurs. He was beaten to the ground and never attempted to defend himself, even as his face was stomped into the ground. The mob turned its attention to the rest of the riders and everyone was beaten.

Although previously the federal government was criticized for not making a concerted effort to protect the Riders, their actions in Birmingham would prove promising and hopeful. After what had been reported as anywhere from five to twenty minutes, police finally came, but did not to give aid or assistance to the Freedom Riders. They used tear gas to break up the crowd, which had grown to a thousand. The Riders, after being hospitalized and seeking refuge in the homes of local black people, gathered at Ralph Abernathy's First Baptist Church in Montgomery. Dr. Martin Luther King, Jr. flew in and spoke to a crowd of more than 1,200. The only thing that prevented disaster when the church building was mobbed, was the intervention of the federal marshals.

President Kennedy had called the situation in the South "a source of deepest concern." His brother, U.S. Attorney General Robert Kennedy, sent a justice department official, John Seigenthaler, to accompany the Freedom Riders. In Birmingham, Riders who traveled in Alabama were greeted by members of the KKK. The KKK used their violent tactics to terrorize the activists.

In Montgomery, Alabama's capital, a white mob beat other Riders with chains and ax handles. John Seigenthaler was knocked unconscious when he went to the aid of one of the passengers. The KKK hoped that this violent treatment would stop other young people from taking part in Freedom Rides.

Afraid, but unwavering, the Riders boarded a bus and chanted "Keep Movin'" as they went to Jackson, Mississippi. Upon arrival they were herded directly to jail. The judge hearing the case turned his back while the attorney for the Freedom Riders argued. Once the attorney finished, the judge sentenced the Riders to sixty days in the state prison.

Over the next six months, over a thousand people took part in Freedom Rides. With the local authorities unwilling to protect these people, President John F. Kennedy sent Byron White and 500 federal marshals from the north to do the job. The Freedom Riders never made it to New Orleans on the bus, but their efforts caused the government to pass a more specific law outlawing the segregation for interstate travelers.

Robert Kennedy petitioned the Interstate Commerce Commission (ICC) to draft regulations to end racial segregation in bus terminals. The ICC was reluctant, but in September of 1961 it issued the necessary orders, which went into effect on November 1st of that same year.

During the summer of 1961 Freedom Riders also campaigned against other forms of racial discrimination. "The Birmingham Campaign" was one such campaign, a door-to-door voter education project in rural Mississippi aiming to educate folks on how to desegregate public accommodations in their city. They also held sit-ins at segregated restaurants, lunch counters, and hotels. This tactic was especially effective when it concerned large corporations and companies who, fearing boycotts in the North and international pressures at large. The businesses quietly began to desegregate.

As with other efforts during the movement, led by young people like the Little Rock Nine and the Greensboro Four, the Freedom Riders provided the world with an eye into the racial discrimination that many black Americans suffered, and in doing so, they helped to bring about a necessary change in this great country.

The following are written accounts, commentaries and personal observations by those persons who participated and witnessed this tumultuous time in American history.

I was certain I was going to die. What kind of death would it be? Would they mutilate me first? What does it feel like to die? Then I grew panicky about the insurance. Had I paid the last installment? My wife and little girls - how would it be for them? Well, damn it, if I had to die, at least let the organization wring some use out of my death. I hoped the newspapers were out there. Plenty of them. With plenty of cameras.

James Farmer was the director of the Congress of Racial Equality and was the main organizer of the Freedom Rides. In Plaquemine, Louisiana, Farmer was surrounded by a white mob who claimed they intended to lynch him.

Norman Thomas, spoke of them as "secular saints" - this handful of young Negroes in their teens and early twenties. They and a few white sympathizers as youthful and devoted as themselves have begun a social revolution in the South with their sit-ins and their Freedom Rides. Never has a tinier minority done more for the liberation of a whole people than these few youngsters of C.O.R.E. (Congress for Racial Equality) and S.N.C.C. (Student Nonviolent Coordinating Committee).

I. F. Stone, I. F. Stone's Weekly (4th June, 1962)

When the Greyhound bus pulled into Anniston, it was immediately surrounded by an angry mob armed with iron bars. They set about the vehicle, denting the sides, breaking windows, and slashing tires. Finally, the police arrived and the bus managed to depart. But the mob pursued in cars. Within minutes, the pursuing mob was hitting the bus with iron bars. The rear window was broken and a bomb was hurled inside. All the passengers managed to escape before the bus burst into flames and was totally destroyed. Policemen, who had been standing by, belatedly came on the scene. A couple of them fired into the air. The mob dispersed and the injured were taken to a local hospital.

James Peck, a member of the Freedom Rides, wrote about his experiences in Alabama on 14th May, 1961, in his book, Freedom Rider (1962)

Jim Zwerg was a white fellow from Madison, Wisconsin. He had a lot of nerve. I think that is what saved me because Jim Zwerg walked off the bus in front of us. The crowd was possessed. They couldn't believe that there was a white man who would help us. They grabbed him and pulled him into the mob. Their attention was on him. It was as if they didn't see us.

Frederick Leonard was an African American traveling on a Freedom Rides bus that was stopped by a white mob in Montgomery, Alabama.

Segregation must be stopped. It must be broken down. Those of us on the Freedom Ride will continue. No matter what happens we are dedicated to this. We will take the beatings. We are willing to accept death. We are going

to keep going until we can ride anywhere in the South.

James Zwerg was badly injured and left in the road for over an hour. White ambulances refused to take him to hospital. Afterwards he was interviewed in hospital by reporters.

At our first stop in Virginia I was confronted with what the Southern white has called "separate but equal." A modern rest station with gleaming counters and picture windows was labeled "White," and a small wooden shack beside it was tagged "Colored." The colored waiting room was filthy, in need of repair, and overcrowded. When we entered the white waiting room Frank Hunt was promptly but courteously, in the Southern manner, asked to leave. Because I am a fair-skinned Negro I was waited upon. I walked back to the bus through the cool night trembling and perspiring.

The Montgomery bus station was surrounded by Army jeeps, trucks, and the National Guard in battle gear. We found the people from the Christian Leadership Council who had been sent to meet us and drove away cautiously, realizing that the least traffic violation would be an excuse for our arrest.

Once across the (Mississippi) state line we passed a couple of police cars, which began to follow us. At our first stop the station was cordoned off a block in every direction. A police officer jumped on the bus and forbade anyone to move. One woman, who was a regular passenger, frantically tried to convince the police that she was not involved with us. After checking her ticket the police let her get off.

As we rolled toward Jackson, every blocked-off street, every back road taken, every change in speed caused our hearts to leap. Our arrival and speedy arrest in the white bus station in Jackson, when we refused to obey a policeman's order to move on, was a relief.

William Mahoney, a student at Howard University, was a Freedom Rider and was eventually arrested in Jackson, Mississippi, and imprisoned in Parchman Penitentiary. He wrote about his experiences for Liberation Magazine.

Discussion Questions and Activities:

1. Give your understanding of the concept “separate but equal” as it applied to travel during this time period.
2. Discuss the statement that “feelings of inferiority are in the person and not the law.”
3. How does this account show that it takes more than laws to affect justice?
4. Would you be willing to be a Freedom Rider if this condition still existed? Give your reasons and say how much you would be willing to endure for the cause?
5. Describe any situation in which you have been the only person of your race at any public place or function? What were your feelings, fears, actions?
6. What lessons do the actions of the Freedom Riders teach us? How can we apply them in today’s societal problems?

7. Research the organizations involved in the freedom rides: CORE; SNCC; KKK. Do they still exist, and if so what is their current role in society? Identify new organizations that protect individual rights.

Freedom Rides Resources:

www.cr.nps.gov/nr/travel/civilrights/strategy.htm
www.spartacus.schoolnet.co.uk/USAfreesR.htm
www.answers.com/topic/american-civil-rights-movement
www.iwfr.org/civilhistory.asp

Website Interface:

Go to www.theyhadadreamtoo.org to see more on the Freedom Rides with John Martin.

Birmingham 1963

TAKS OBJECTIVES COVERED:
US.2C; US.7A-C; US.21A; 8.17B

The Children's Crusade

Birmingham was the most segregated city in the nation in the 1960s. Civil Rights activists had to face the police commissioner, Bull Connor, every step of the way. One of the most vivid images of the civil rights era occurred when Connor called out police dogs and blasted young demonstrators with fire hoses. For eight days in May 1963, thousands of school children defied Connor, which marked a turning point in the civil rights movement.

The Southern Christian Leadership Conference (SCLC) would gather at Kelly Ingram Park, also known as West Park, for sit-ins, boycotts, and marches designed to end segregation in Birmingham. For a month, SCLC President, Martin Luther King, Jr. and Reverend Fred Shuttlesworth had been actively campaigning to desegregate Birmingham's downtown department stores. On April 12, 1963, Dr. King was arrested and held in solitary confinement for three days, during which he wrote, smuggled out of jail, and had printed his "Letter from Birmingham Jail." This letter discussed the moral necessity of nonviolent resistance to unjust laws. Dr. King was released from jail on April 19, 1963.

After a month of peaceful but unsuccessful demonstrations, civil rights leaders decided to enlist the help of students. They hoped this action would bring forth national attention. They viewed students as an untapped resource because they did not have the jobs and responsibilities of older activists.

On May 2, 1963, the Children's Crusade began. It was a series of demonstrations by high school and colleges students. Many brought their younger siblings. Although they were peaceful, the reaction of the city officials was not.

On May 2, more than a thousand black students, some as young as six years old, skipped classes and gathered at the Sixth Street Baptist Church. Hundreds were arrested and carried off to jail. The next day hundreds more gathered, and Connor directed local police and fire departments to use force to stop the demonstration, including blasting them with high pressure fire hoses, clubbing them, and attacking them with police dogs. This continued for eight days.

More than 2,400 children were arrested and almost 1,000 sentenced to jail. Sixteen-year-old Cardell Gay was arrested three times. He later said, "The jails were so full they didn't have room for any more. They'd load us on a school bus, take us around the corner, tell us to go home, let us out—and we'd go back." Thirteen-year old Claressie Hardy spent eight days in detention while her twelve-year-old sister spent seven days.

Afraid of a race riot and worried about lost business, local businesses made an agreement with the SCLC. On May 10, Dr. King and Reverend Fred Shuttlesworth announced that a truce had been reached between the SCLC and the Senior Citizens Council. The agreement provided for the desegregation of public accommodations, a committee to ensure nondiscriminatory hiring, cooperation in releasing protestors from jail, and improved communication between black and white leaders to prevent future protests. Alabama's Governor Wallace rejected the settlement and Connor urged whites to boycott the stores involved.

The agreement was stained the next day when bombs exploded at the church pastored by Dr. King's brother and at a motel which served as movement headquarters. President Kennedy responded and ordered 3,000 army troops to the outskirts of the city to prevent any violence that would undermine the agreement. As a result, local merchants removed their "whites only" signs and desegregated their lunch counters. In addition, the newly-elected mayor repealed the city's Jim Crow laws and eventually desegregated the library, city golf courses, public buildings, and finally the schools.

Discussion Questions and Activities:

1. Read Dr. King's "Letter from Birmingham Jail." This was printed in the newspaper in 1963. Write an editorial responding to the King letter.
2. How would you have responded to a request to participate in the Children's Crusade demonstration?
3. Why would civil rights leaders utilize young people to achieve their goals?

4. How would you have reacted to the fire hoses and police dogs?
5. The demonstrators used nonviolent civil disobedience. How can you utilize this technique to address issues you face today?
6. What sacrifices are you willing to make for a cause you care about?
7. Explain the power of the media in the civil rights movement. Has that power changed now? If so, how? If not, why not?

Website Interface:

Go to www.theyhadadreamtoo.org to see more on Birmingham in 1963 with John Martin.

Birmingham 1963 Resources:

www.stanford.edu/group/King/liberation_curriculum/childrenscrusade/index.htm
www.mccsc.edu/~browstu/alex.html
www-leland.stanford.edu/group/King/liberation_curriculum/pdfs/childrenscrusadehandout.pdf
www.cr.nps.gov/nr/travel/civilrights/al10.htm
www.archives.state.al.us/teacher/rights/rights3.html

The March on Washington

TAKS OBJECTIVES COVERED:
US.2C; US.7A-C; US.21A; 8.17B

Why They Marched: The March on Washington for Jobs and Freedom

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 the administration's Civil Rights bill, for it is too little, and too late.

There's not one thing in the bill that will protect our people from police brutality.

*This bill will not protect young children and old women from police dogs
and fire hoses, for engaging in peaceful demonstrations.*

*The voting section of this bill will not help thousands of black citizens who want to vote.
It will not help the citizens of Mississippi, of Alabama, and Georgia, who are qualified to vote,
but lack a 6th grade education. "One man, one vote," is the African cry. It is ours, too.*

We are now involved in revolution.

*This nation is still a place of cheap political leaders who build their careers on immoral compromise
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 Javits is also the party of Goldwater.
Where is our party?*

We won't stop now... The time will come when we will not confine our marching to Washington.

We will march through the South, through the Heart of Dixie, the way Sherman did.

We shall pursue our own "scorched earth" policy and burn Jim Crow to the ground - nonviolently.

We shall fragment the South into a thousand pieces and put them back together in the image of democracy.

We will make the action of the past few months look petty.

And I say to you, WAKE UP AMERICA!

Although the entirety of his speech was not given on August 28, 1963, history would take heed of the young speaker, John Lewis. The twenty-three year old student activist with the Student Non Violent Committee, who wrote these words for the March on Washington for Jobs and Freedom, did not want to mince words. History would document the life's struggle that this student took on as his own. He knew that but for those that came before him, from those whose shoulders he stood, he would not have the opportunity to speak and be heard by the crowds of tens of thousands of people who gathered in D.C. on that hot summer day. Who knew that more than twenty years later, this passionate speaker would be back in

Washington, D.C., this time as a Congressman, who was invited back on behalf of the citizens of Georgia to represent their interests and speak on their behalf. Congressman John Lewis has not stopped speaking since.

The idea for a march on Washington was the brain-child of a young, black labor organizer Asa Philip Randolph two decades before. In 1929 A. Philip Randolph became the President of the Brotherhood of Sleeping Car Porters (BSCP). Over the next few years he built the BSCP into the first successful black trade union. The BSCP was very influential because during this time, a job on the railroads, especially as a porter, was a coveted

profession in the black community. The BSCP was instrumental in providing black Americans during the first half of the century an opportunity to move up in the social and education realms of society. To call attention to the plight of the working class men and women, Randolph began preparations to protest their treatment by holding a demonstration in the nation's capitol.

With added pressure from the organization of the March on Washington set for June of 1941, President Franklin D. Roosevelt issued Executive Order 8802 on June 25 1941, which barred discrimination in the defense industries and federal bureaus. This later became known as the Fair Labor and Employment Act. This was the first executive order a president had issued which protected black Americans civil rights since Abraham Lincoln declared an end to slavery with the Emancipation Proclamation. After the Second World War, Randolph continued his campaign for racial equality and focused in on the military. Again, his pressure effected change, and on July 26, 1948 President Harry S. Truman issued the executive order, which banned segregation in the armed forces. Although much work had been accomplished much more work needed to be done.

The following narrative, is an excerpt from Steven Kasher's book, *The Civil Rights Movement, A Photographic History, 1954-1968*:

At the end of 1962, Randolph began discussions with other leaders about staging a big Washington demonstration. They conceived of a rally over two days "to embody in one gesture, civil rights as well as national economic demands." A coalition of leaders formed and came together on July 2, 1963 at a meeting attended by the "Big Six" civil rights leaders: Randolph, Roy Wilkins (NAACP), James Farmer (CORE), John Lewis (SNCC), Whitney Young, Jr. (Urban League), and Martin Luther King, Jr. (SCLC). Bayard Rustin was named chief coordinator of the march.

Martin Luther King, Jr., had also been thinking about some new and larger form of demonstration. He said to his aides, "We are on a breakthrough...We need a mass protest," and told them that offers of help had come from certain trade unions and from Paul Newman and Marlon

Brando, both supporters of President Kennedy. King asked the aides to contact Randolph to see if they could all work together. On June 11, the same day that Kennedy made his historic civil rights speech and the eve of Medgar Evers's murder, King announced to the press plans for a march on Washington.

Randolph and Rustin originally planned to stress economic inequities and to press for a new federal jobs program and a higher minimum wage. A nationwide recession that had begun in 1959 was still in progress in 1963. The black unemployment rate was twice that of whites, with over one and a half million blacks looking for work. To stress these economic concerns, in addition to the standard civil rights agenda, the massive protest was dubbed the "March on Washington for Jobs and Freedom." But the events in Birmingham and the forthcoming Kennedy civil rights bill changed the agenda; the emphasis shifted to lobbying for the civil rights bill that was winding its way through Congress.

The budget for the march was set at \$120,000, a huge sum for the time. Funds came in through big donations and small. Official march buttons were sold for a quarter each, with 175,000 sold by August 17 and 150,000 more on order. The official memento of the march, which sold for one dollar, was a portfolio of five red, white, blue, and black collage-based prints that incorporated *Life* magazine photographs of dog and fire-hose attacks and other movement dramas; forty thousand were printed. The famous Apollo Theatre in Harlem hosted a fundraiser on the Friday night before the march, which showcased jazz musicians: William "Cozy" Cole, Herbie Mann, Quincy Jones, Tony Bennett, Thelonious Monk, Carmen McRae, and Billy Eckstine. Around the other side of the world, some black expatriates in Paris, Josephine Baker and James Baldwin, along with the actor Burt Lancaster, led a march in Paris to support the upcoming one in Washington.

President Kennedy tried to persuade the leadership to cancel the march. "We want success in Congress, not just a big show at the Capitol. Some of these people are looking for an excuse to be against us; and I don't want to give any of them a chance to say 'Yes, I'm for the bill, but I am damned if I will vote for it at the point of a gun.'" Failing to stop it, Kennedy publicly embraced the march.

Fears of a possible riot were intense, and the Washington authorities and the march organizers were determined to ensure a peaceful day. D.C. police units had all their leaves canceled; neighboring suburban forces were given special riot-control training. With Birmingham in mind, the Attorney General expressly forbade the presence of police dogs. Liquor sales were banned for a day for the first time since Prohibition. Two Washington Senators' baseball games were postponed. The justice department and the army coordinated preparations for emergency troop deployments; seventy different potential emergency scenarios were studied. A crew of lawyers was convened to prepare in advance proclamations authorizing military deployments. Fifteen thousand paratroopers were put on alert. The justice department and the police worked with the march committee to develop a state-of-the-art public-address system. Unbeknownst to the march coordinators, the police rigged the system so that they could take control of it if trouble arose. The main rally would be at the Lincoln Memorial. For the organizers, that site had a powerful symbolism, particularly on the centennial of the Emancipation Proclamation. The police liked the site because, with water on three sides, the demonstrators could be easily contained.

On August 28, 1963, the day of the march, New York's Penn Station reported the largest early morning crowd since the end of World War II. Members of CORE's Brooklyn chapter walked the 230 miles to the march in thirteen days. Three of the first arrivals were Robert Thomas, age eighteen, Robert Avery, seventeen and James F. Smith, sixteen, all veterans of the Gadsden (Alabama) Student Movement. Arriving almost a week ahead of time after a 700-mile walk and hitchhike, they were housed and put to work by Rev. Walter Fauntroy, head of the Washington branch of the SCLC. Surveys indicate that about 15 percent of the participants were students, about 25 percent were white, and a majority of the black participants were middle class, northern, and urban. Estimates of the crowd size range from 200,000 to 500,000. It was the largest political demonstration in the United States had ever seen.

Demonstrators' signs and slogans ranged from the mass-produced to the unique such as:

A young black man in a white shirt and tie wrote on his sign "There Would Be More of Us Here But So Many of Us Are in Jail. Freedom Now."

A young white woman painted "Stop Legal Murders" on her sign.

On the day before the march, Robert Moses picketed the justice department with a sign reading, "When There Is No Justice, What Is the State But a Robber Band Enlarged?"

A young black woman in a paisley dress carried a sign reading, "Not 'Negroes' But Afro-Americans! We Must Be Accorded Full Rights as Americans Not in the Future but Now." (Debates over appropriate labels were heating up in the summer of 1963. "Negro" was used almost exclusively in the March speeches; only John Lewis referred to "black people" and "the black masses.")

The demonstrators gathered at the Washington Monument, where a stage had been set up for morning entertainment. Joan Baez opened the program with "Oh Freedom" and also led a rendition of "We Shall Overcome." Other performers included Odetta; Josh White (Bayard Rustin had been his sideman thirty years earlier); the Albany Freedom Singers; Bob Dylan; and Peter, Paul and Mary, whose version of Dylan's civil rights anthem "Blowin' in the Wind" was then number two on the charts.

Before noon and ahead of schedule, impatient demonstrators began to march up Independence and Constitution Avenues to the Lincoln Memorial. The march leaders got word of this surprise development while lobbying on Capitol Hill, and they rushed to join the advancing throng. Enterprising march marshals opened a passageway for them so that they could be photographed arm in arm "leading" the march.

News agencies sent large crews of reporters and photographers, some assigned to celebrities, others to everyday marchers, others to aerial coverage. Leading newspapers in many countries ran the march story on their front pages. It was also one of the first events to be broadcast live around the world, via the newly launched communications

satellite Telstar. The three major television networks spent over three hundred thousand dollars (more than twice the march committee's budget) to broadcast the event.

The huge audience heard many speakers and singers, both scheduled and unscheduled. One of the first, reading a speech written by James Baldwin, was Charlton Heston, representing an "arts contingent" that included Ossie Davis, Marlon Brando, Sammy Davis, Jr., Sidney Poitier, Lena Horne, Diahann Carroll, Paul Newman, and Harry Belafonte. Josephine Baker, wearing her Free French uniform with her Legion of Honor decoration, was the only woman to speak at the rally. The exclusion of women speakers had been debated, with the all-male leadership opting for only a "Tribute to Women." Rustin introduced to the roaring crowd Rosa Parks, Daisy Bates, Diane Nash, Gloria Richardson (a leader from Cambridge, Maryland), and Mrs. Herbert Lee (widow of the slain Mississippi activist), as well as citing Myrlie Evers in absentia. Marian Anderson, the great contralto, made it to the platform too late to lead the national anthem as planned; instead, she later sang "He's Got the Whole World in His Hands."

In his speech, NAACP president Roy Wilkins warned President Kennedy not to let his already over moderate civil rights bill be further watered down. Wilkins also announced the death in Ghana that morning of W.E.B. Du Bois, founding father of the NAACP.

After being interrupted fourteen times by applause, John Lewis finished his speech and the great Mahalia Jackson stepped up and sang the gospel classic, "I've Been 'Buked and I've Been Scorned." A journalist has eloquently described the response to her performance: "The button-down men in front and the old women in back came to their feet screaming and shouting. They had not known that this thing was in them, and that they wanted it touched. From different places and different ways, with different dreams they had come, and now, hearing this sung, they were one."

Then Dr. King stepped to the podium and let flow from him one of the most famous, modern speeches known to man, "I Have a Dream". Many people may not realize that he improvised the closing remarks of this oration, letting the crowd and the spirit move him as it often did:

When we allow freedom to 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 the old Negro spiritual: "Free at last! Free at last! Thank God Almighty, we are free at last!"

The march ended peaceably and its leaders rushed to the White House for a strategy meeting with the president on the pending civil rights bill. President Kennedy smiled as they walked into the Cabinet Room, smiled at King and said, "I have a dream."

But change is difficult and on Sunday, September 15, 1963, barely two weeks after the march, Birmingham's Sixteenth Street Baptist Church celebrated its Youth Day. The church was full of children. A bomb was flung from a speeding car. The explosion injured twenty-one children and killed four little girls. A month later in Dallas, Texas, on November 22, President Kennedy was assassinated. Although Congress passed Kennedy's Civil Rights Act of 1964 the following summer, which banned racial discrimination in public facilities and reinforced voting right, it did little to alleviate the current state of race relations and nothing to halt the impending tumult and turbulence that would come during the long hot summers to follow.

Discussion Questions and Activities:

1. The march on Washington had several goals. List them from the previous reading.
2. Name the leaders of the march and their organizations. Decipher the abbreviations to understand the meaning of the organizations.
3. How was the march financed? List some of the financial ventures.
4. What was the opinion of President Kennedy on the march? What was his final position, and how did he support it?
5. What was the role of Hollywood actors in the march? Why were so many involved?
6. Find the full text of Dr. King's "I have a Dream" speech. Review it and find things still unfulfilled in society today.

7. How was the march a political success? Discuss why it did not lead to more changes in society.
8. Name some similar marches that have taken place in America since the March on Washington. Discuss their impact on society.

March on Washington Resources:

www.abbeville.com/civilrights/washington.asp
www.stanford.edu/group/King/about_king/encyclopedia/march_washington.html
www.infoplease.com/spot/marchonwashington.html
www.ourdocuments.gov/doc.php?flash=true&doc=96
afroamhistory.about.com/od/marchonwashington/a/marchonwash1963.htm

Website Interface:

Go to www.theyhadadreamtoo.org to see more on the March on Washington with Gloria Bradley.

Mississippi 1964

TAKS OBJECTIVES COVERED:
US.2C; US.7A-C; US.21A; 8.17B

Mississippi Burnings

In 1964, Mississippi was seen as a fortress against civil rights. Leaders of SNCC and CORE decided to penetrate that fortress by sending six hundred volunteers all over the state to register black voters. Known as the "Mississippi Summer Project" or "Freedom Summer," this was a dangerous proposition and the volunteers were warned by many, including the U.S. Marshal's Deputy Chief, John Doar.

On June 20, 1964, three CORE field workers headed to Meridian, Mississippi to begin registering black Mississippians to vote. Michael Schwerner was a twenty-four year old New Yorker who had been working in CORE's Mississippi office. Nicknaming Schwerner "Goatee" or "Jew Boy," the KKK detested him after he organized a boycott of a store in Meridian. Schwerner was joined by James Chaney, a twenty-one year old black man from Meridian who joined CORE to help his home state. The third member was Andrew Goodman, a twenty-year old college student from Manhattan.

On June 16, the KKK planned an ambush for Schwerner. Expecting him to be at a meeting of Mount Zion Church in Longdale, masked men lined up military style outside the church confronting seven black men and three black women about the whereabouts of "Jew Boy." The men beat the ten blacks, poured fuel inside the church and lit it a fire. Schwerner's plans for the church as a site for a "freedom school" went up in flames.

Eager to investigate the church burning, the three loaded up the CORE station wagon and headed to Mississippi. They crossed into Mississippi, slept and had breakfast in Meridian. Well aware of the danger they faced, they told the CORE office in Meridian to begin making calls if they had not returned by 4:30 p.m. that afternoon. They headed out to Mount Zion Church in Longdale, visited the remains and spoke to members of the congregation. One of the members warned them that a group of men were looking for them. At around 3:00 pm, the three headed back to the CORE office in Meridian. Somewhere along the route of Highway 16, Schwerner, Chaney and Goodman were arrested for allegedly speeding

by Deputy Sheriff Cecil Price. They were taken to the Neshoba County jail. Several hours later, around 10:00 p.m., they were allowed to pay the fine and were released. The blue CORE station wagon drove away into the black night of Mississippi, followed by Deputy Sheriff Price. Outside the county line, the Deputy Sheriff caught up with the three where they again surrendered, this time to their detriment. Two additional car loads of Klansmen and the Deputy Sheriff took the three volunteers off road. The three were beaten and shot. Chaney, the young black man, was shot three times. The dead bodies were taken to and buried in a dam site at Old Jolly Farm.

As directed, the CORE office began making calls after not hearing from the three men. Although CORE called the jail that afternoon, the jailor, Minnie Herring, lied, saying the three men were not there. After placing several calls, the CORE office called the Civil Rights Division of the Justice Department. John Doar, the U.S. Marshal in charge of Mississippi, enlisted the help of the FBI. FBI agent John Proctor headed to Neshoba County and began questioning witnesses. The local officials said that the three boys were probably hiding to get some publicity.

A full investigation was opened to find the missing young civil rights workers. Within days, Neshoba County was swarmed with sailors, FBI agents and crews searching for the bodies of the young men. The blue CORE station wagon was found burned and numerous bodies of other civil rights workers were found, but not the bodies of Chaney, Schwerner, and Goodman. The FBI decided to infiltrate the KKK. A \$30,000 reward was offered and through informants, the location of the bodies was disclosed. On the forty-fourth day of the investigation, on August 4, the three bodies were found.

Bringing the killers to justice took much longer than the investigations. The infiltration of the Klan led to the identities of the killers. Although by December of that year, the justice department had enough for arrests, justice in Mississippi for civil rights at that time was slow. Murder was not the charge; instead the charge for the nineteen men arrested was depriving Chaney, Schwerner and Goodman of their civil rights under state law. Indictments

were levied on the Neshoba County Sheriff, Lawrence Rainey and Deputy Sheriff Price and seventeen others, but were dismissed in 1964. After re-filing in 1965, the federal judge, William Cox, a staunch segregationist, threw out the indictments on all but Rainey and Price stating that the others were not acting “under color of state law.” In 1966, the U.S. Supreme Court overruled Judge Cox, reinstating the indictments. On the basis of defense arguments, the government impaneled a new grand jury in 1967, garnering new indictments. The trial finally began on October 7, 1967, in front of Judge Cox. On October 20, 1967, the jury returned its verdict of guilty for seven defendants, including Deputy Sheriff Price. The other eight men were acquitted, including Sheriff Rainey. In December, 1967 the judge imposed sentences ranging from four to ten years. He stated, “They killed one nigger, one Jew and a white man—I gave them all what I thought they deserved.” In 2005, as times changed in Mississippi, an arrest and conviction for manslaughter followed for Edgar Ray Killen, a member of the KKK and participant in the murders.

Discussion Questions and Activities:

1. Research the individuals, Chaney, Schwerner and Goodman. Write journal entries of their travels to Mississippi, the visit to the church, and the time in jail. Describe your feelings at each stage.

2. Research the trial of Price and the others through modern times. Write blog entries about the trial. Explain to your readers what “under the color of state law” means, why the indictments were dismissed, and give personal descriptions of the trial.
3. The events inspired a movie, “Mississippi Burning.” What are the differences between fact and the fictionalized movie?
4. Why was it important to have the participation of the FBI in the search and investigation?
5. What were the actions of the president and federal government in this case?

Mississippi Burning Resources:

www.whitehousetapes.org/exhibits/miss_burning/
www.law.umkc.edu/faculty/projects/Ftrials/price&bowers/price&bowers.htm
foia.fbi.gov/foiaindex/miburn.htm
en.wikipedia.org/wkik/Mississippi_civil_rights_work_er_murder

Website Interface:

Go to www.theyhadadreamtoo.org to see more on Voting Rights with John Martin.

Freedom Marches & The Long Hot Summers

TAKS OBJECTIVES COVERED:
US.2C; US.7A-C; US.21A; 8.17 B

The Long Hot Summers of 1965-1967: No More Turning the Other Cheek

The power of the nonviolent movement heralded by Dr. Martin Luther King, Jr., the Southern Christian Leadership Conference, the Student Non Violent Coordinating Committee and others, helped to highlight and advance the cause of civil rights from the 1940s through the early 1960s. As the decade of the 60s waned, the patience of some blacks also waned, activists and regular folks alike, and they felt as if they no longer could or should turn the other cheek.

After police dogs, the fire hoses, the billy clubs, and the humiliation, some black Americans had had enough. This period started out with a bang in the summer of 1964 with riots in Harlem and Rochester, New York, but it quietly commenced with the assassination of President Kennedy at the close of 1963 and was brought to a sobering conclusion with the assassination of Dr. Martin Luther King, Jr. in 1968.

At 9:30 pm on July 18, 1964, the Congress of Racial Equality (CORE) sponsored a peaceful demonstration in the Harlem neighborhood of New York City to protest the fatal shooting of a fifteen-year-old black boy, James Powell, by a white police officer. The protest turned violent when demonstrators clashed with police. The rioting in Harlem continued for two nights before spreading to Brooklyn's Bedford-Stuyvesant neighborhood. In all, one person was killed, more than 100 people were injured, and hundreds were arrested. The Harlem Riots were a prelude to the uprisings to come later in the decade. The following is a personal account of the Harlem Riots from Earl Caldwell, a journalist who was there to witness it first hand.

Every chance they got, the cops would stare us down. It was as though they could not accept that we were qualified and that our reporting would be central to what people everywhere would read of the Harlem riots.

Some white reporters sought us out. They would shake our hands and stay as close to us as possible. That put them closer to the story. It also made them feel safer. Still,

a white New York Times photographer was jumped by a mob and beaten so badly that the bones around his eyes were broken.

The Times had two black reporters on the story, Junius Griffin and Ted Jones, who set up a temporary bureau in the Theresa Hotel at 125th Street and 7th Avenue. Griffin was a former Marine. He broke in as a journalist on the Stars and Stripes military newspaper. In Harlem, he emerged a hero. He saw a group of blacks surround and threaten three white reporters from the Hearst-owned Journal-American newspaper. He charged into the crowd, grabbed the reporters, and walked them out unharmed. He knew that only a black reporter could do that.

Ted Jones made news too. He watched some cops chasing black youths who had been throwing rocks and bottles. As the kids outran the cops and got away, some in the crowd cheered derisively. In frustration, the cops began to use their nightsticks at random. Impulsively, Ted interceded.

"These people didn't do anything," he yelled. When the cops ignored him and continued swinging their batons wildly, he pressed forward.

"You have no right to beat these people," he insisted. "You cannot do that. You can't."

"Who are you?" a cop barked, irritated.

Ted grabbed his press card and held it out. "The New York Times," he said.

"Get out of here," the cop ordered.

Tall and heavyset, Ted refused to budge. As the cops pursued their attack, he was knocked to the ground. He wasn't injured, only shook up, but what happened to him became a part of the news story.

The riots raged through three nights, and at the end of each day, long after the crowds and the cops had drifted away, we would still be on the streets.

We could sense that something enormous was happening and that it was our destiny as reporters to be at the center of it. Hanging together, we quickly discovered the many paths we'd taken to get here and the circumstance of timing that had opened the door for us.

In August of 1965, violence broke out in the Watts section of Los Angeles, California. A minor police incident escalated into five days of arson, looting, and violence. This required a force of 16,000 police, highway patrol, and National Guardsmen to quell the violence. At the end, there were 34 dead, 1,000 injured, and 4,000 in jail. Over 250 buildings were burned.

The outbreak of such violence was repeated during the summers of 1966 and 1967. In 1966, the cities included were Brooklyn, New York; Chicago, Illinois; Cleveland and Dayton, Ohio; and San Francisco, California. The unrest spread during the summer of 1967 to areas which included Tampa, Florida; Boston, Massachusetts; Cincinnati, Ohio; Buffalo, New York; Newark, New Jersey; Toledo, Ohio; South Bend, Indiana; New Haven, Connecticut; Chicago, Illinois; Rochester, New York; and East Harlem, New York. The worst of the episodes occurred in Detroit, Michigan. The governor of

the state certified to President Johnson that Michigan could not guarantee "public safety" and, as a result, President Johnson ordered 4,700 U.S. paratroopers to the city to help restore order.

Discussion and Activities:

1. The nonviolence of the Washington March was not sustained throughout the summers that followed. Identify the reasons why violence erupted so often.
2. Several national leaders died prior to and during this period. Make a list and choose one to show how he or she made a difference.
3. Research the "minor police incident" that led to the Watts riots in California.
4. Choose a state that had serious riots during this time and review the role of the police. Do not use New York or California.
5. Write about an incident when you stood up for yourself or someone else. This can be real or imagined.

Long Hot Summer Resources:

www.africanamericans.com/WattsRiots.htm
www.historycentral.com/sixty/60s/watts.html
www.africanaonline.com/riots.htm

Marching from Marion to Selma to Montgomery

*Yes it's worth the boy's dying...said Lee as he walked in the front line with the Rev. Dr. Martin Luther King, Jr. ...
He has my daughter's onliest son but she understands.*

*She's takin' it good. And he was a sweet boy. Not pushy, not rowdy. He took me to church every Sunday, worked hard.
But he had to die for somethin'. And thank God it was for this.*

PAUL GOOD

The Washington Post, March 22, 1965

Who knew that on February 18, 1965, the death of a twenty-six year old, civil rights activist would be the spark to the powder keg of what became known as “Bloody Sunday” and the eventual passage of the Voting Rights Act? History reports that the actions of one person are often the catalyst for change. The ramifications of Jimmie Lee Jackson’s death were unforeseen by many, but not to Jimmie Lee nor others like him who yearned for change so much they were willing to die for it.

On that winter night in a suburb of Selma, Alabama, members of Marion’s Zion United Methodist Church marched to the city jail, where inside, locked behind bars, was a young civil rights worker. They planned a nonviolent sing-in of freedom songs to protest his latest incarceration and Alabama’s unlawful voter registration practices. As someone who had previously attempted to register to vote five times, Jimmie Jackson was lucky he was able to protest from outside the walls of the jail instead of sitting behind them. Although nearly 100 years had passed since the conclusion of the Civil War and the passage of the Fifteenth Amendment and black people made up half of the population in Selma, Alabama, they only accounted for 2 percent of those persons who were registered to vote. Jimmie and the other protesters marched so that they too could have the opportunity simply to *register* to vote. The fight to actually cast a ballot in the box was left for another day.

As the mass of unarmed activists approached the jail, at its entrance, there stood the city police officers, sheriff’s deputies and Alabama State Troopers. At that moment, the city streetlights were switched off and in the darkness came screams and the muffled cracks of billy clubs hitting people. The reporters, who were in town to unveil the injustices of Jim Crow Laws to the rest of the nation, approached Marion’s town square and reported that they witnessed uniformed men first attack the peaceful protesters and then chasing them as they fled in all directions. The reporters also saw other white men dressed in casual clothes attacking anyone in their path including activists, peaceful protesters, bystanders and journalists.

Soon after the melee in the streets, about ten state troopers chased a group of protesters into the local café just off Marion’s city square and directly behind Zion United

Methodist Church. Eighty-two year old Marion resident Cager Lee, his daughter, Viola Jackson and her son, Jimmie Lee Jackson could not make it to the Church, so they ducked into Mack’s Café for shelter. As the troopers entered the café, they immediately overturned tables and began to hit both customers and marchers indiscriminately.

With no care to the consequences of their savage behavior, the troopers clubbed 82 year old Cager Lee to the floor. When his daughter rushed to his aid, the troopers began to turn the billy clubs on Viola Jackson. When Jimmie tried to help his mother, instead of billy clubs, an Alabama state trooper shot Jimmie Lee Jackson twice in the stomach. To add insult to injury, Jimmie was charged with assault and battery before he was taken to Good Samaritan Hospital. Jimmie Lee Jackson died on February 26, 1965 from the injuries he sustained from the state trooper’s gun shots. He was twenty-six years old, and his death ignited the idea for a protest march from Marion to Selma to commemorate Jimmie’s life.

The Student Nonviolent Coordinating Committee (“SNCC”), decided to highlight the senseless shooting of Jimmie Jackson and dramatize for the rest of the country the need for a federal voter registration law. With the help of Martin Luther King, Jr. and Ralph David Abernathy of the Southern Christian Leadership Conference (“SCLC”), leaders of SNCC organized a protest march from Selma to the state capitol building in Montgomery, Alabama. The first march on February 1, 1965, barely got underway before 770 people were arrested.

Soon after Jimmie’s death, the SCLC planned a second march for March 7, led by SNCC Chairman, John Lewis and SCLC leader, Hosea Williams. As a student at Fisk University, John Lewis organized sit-in demonstrations at segregated lunch counters in Nashville, Tennessee. As a youth he was beaten severely by angry mobs and arrested by police for challenging the injustice of Jim Crow segregation in the South.

Hosea Williams’ activism was also influenced by his experiences from his youth in Georgia. At the age of thirteen he was nearly lynched by a white mob after becoming friendly with a local white girl. He served his country dur-

ing the Second World War, went with the Third Army to Europe and was the only survivor of a thirteen-man platoon hit by a shell in France. Williams remained in the hospital for thirteen months and was permanently disabled. Soon after leaving the hospital, Williams was badly beaten by a group of whites after drinking from the only water fountain in a segregated bus station. He was so badly injured that doctors at the veterans' hospital predicted he would die.

On Sunday, March 7, 1965, these two men of nonviolence led approximately 525 peaceful, protestors on an orderly fifty-four mile. They intended to march from Selma to Montgomery to demonstrate the need for voting rights in the state. The marchers approached the outskirts of Selma and when they crossed the Edmund Pettus Bridge they were attacked by mounted police. Television cameras captured the images of the Alabama state troopers attacking unarmed people, black and white, young and old, with nightsticks and tear gas. In 1965, only three TV networks existed—ABC, NBC, and CBS—and every channel televised these brutal images that became known as “Bloody Sunday.” Ironically, that night ABC television interrupted a screening of a Nazi war crimes documentary, to show the brutal pictures of the scenes coming live from the southern sector of the United States. Initially, some viewers could not tell the difference between Nazi Germany and Selma, Alabama.

Not dissuaded by Bloody Sunday, on Tuesday, March 9, Dr. Martin Luther King, Jr. joined the marchers and led approximately 1,500 people to the Pettus Bridge, where again marchers were faced by a barrier of Alabama state troopers. Dr. King, in a true display of restraint and nonviolence, disappointed many of his younger followers when he decided to not continue on to Montgomery. He chose to turn back to where they began, Brown Chapel AME Church, avoid any confrontation with the state troopers, and allow the rule of law to take control. The protestors took their battle to the federal courts. These demonstrators sued their own state, simply to have the right to walk on the Alabaman roads, which they paid tax dollars to help pave. On March 17, federal judge Frank Johnson allowed the plaintiffs to introduce into evidence CBS footage of *Bloody Sunday*. Judge Johnson ruled for

the demonstrators and permitted them to march onto the grounds of the state capital.

On March 21, another cold Sunday morning, another freedom walk began from a rallying point in Selma, headed down Highway 80 toward another attempt to enter Montgomery. But this time, the protestors were guarded by a federalized National Guard, FBI agents, marshals and helicopters. Despite the cold, they sang freedom songs as they marched, camped outside along the highway and encouraged each other to keep on marching. By March 25, when Dr. King led over 25,000 people onto the grounds of the state capitol, a state which fought so hard to keep them off its steps, a freedom walk, which actually began on a cold Sunday night a month earlier in Marion, with Jimmie Lee Jackson and a handful of others now swelled to tens of thousands. Now, civil rights most imminent leader, Dr. Martin Luther King, Jr., walked with all the self respect of any other man and handed a petition to Governor George Wallace, demanding voting rights for blacks.

The mainstream media revealed the South's dirty little secret to the rest of the nation. The powerful images from the Selma marches were displayed on the TV networks, newspapers and magazines across not only America, but also the rest of the world. Now, the other civilized nations of the world, witnessed first hand the hypocrisy and double standard by which the United States of America treated its black population, other ethnic minorities and women. Now, the power lay in the hands of a southern, Texan, but above all the President for all *the people* of the United States, Lyndon Baines Johnson.

As a direct consequence of these events, President Johnson sent the Voting Rights bill to Congress. On August 6, 1965, Congress realized that the Fifteenth Amendment and other existing anti-discrimination laws were not enough to deter states' actions, specifically in the “Old South,” and passed the Voting Rights Act of 1965. This piece of legislation has been called the single most effective piece of civil rights legislation ever, and it all started from a spark, ignited by the death of Jimmie Lee Jackson, who's belief in equality for all, in the words of his grandfather Cager Lee, “was worth the boy's dying.”

Discussion Questions and Activities:

1. As a marcher, police trooper or reporter, write a daily report of the march. Look up as much information about the conditions during the marches as possible.
2. Prepare a talk show. Several students can play producer/host to create interview questions, while other students play individuals involved in the march from all aspects, marchers, police, on lookers, President Johnson, Martin Luther King, Jr., famous entertainers. They should research their roles and be prepared to play their parts on the talk show.
3. Why did the death of Jimmie Lee spark the march? What other actions were occurring at this time that would have also had an influence on the decision to march?
4. Research the death of Medgar Evers. How did his death contribute to the actions of the Civil Rights Movement?
5. Why would Dr. King turn the group around on that Tuesday? Discuss what effect nonviolence

- had on this situation and the entire movement?
6. Discuss the role of the media in the 1960s. Contrast and compare it with the role of the media today. What are the positive and negative aspects of media coverage of the stories then and now? Create a visual representation of the marches using pictures from the time.
7. The goal of the march was to give the governor a petition about voting rights. Are there issues today that could be petitioned in a similar fashion? How would this be achieved in today's society?

March from Selma to Montgomery Resources:

www.annistonstar.com
www.bama.ua.edu
www.stanford.edu/group/King/liberation_curriculum/index.htm
www.alabamamoments.state.al.us/sec59det.html
www.lbjlib.utexas.edu/johnson/lbjforkids/selma-mont.shtm

Voting Rights

TAKS OBJECTIVES COVERED:
US.2C; US.7 A-C; US.21A; 8.17B; US.17A; US.18B

The Voting Rights Act of 1965

The Voting Rights Act of 1965 was passed in response to discriminatory laws with the intent of disenfranchising black voters. The problems encountered by black voters are possibly best exemplified by conditions at that time in Selma, Alabama. In 1965, Selma had 29,500 residents—14,500 white people and 15,100 people of African American descent. The city's voting rolls were 99 percent white and 1 percent black. This phenomenon of virtually no registered black voters in a city with a majority of black residents was a product of certain state voting laws common in the South during the 1960s, combined with the particular personality of Selma's sheriff, James Clark. Clark was a committed segregationist and many of his volunteers were Ku Klux Klansmen. They repeatedly turned black registrants away or arrested them for contempt of court, truancy, juvenile delinquency, or parading without a permit.

In February 1964, all Alabama County Boards of Registrars, including the Dallas County Board in Selma, began using a new application form for voter registration. This form included a complicated literacy and knowledge of government test. Since voter registration was permanent in Alabama, the great majority of white voters in Selma and Dallas County were already registered under previous, easier standards and did not have to pass the test. African Americans, however, largely unregistered at the time, faced another substantial obstacle to voting.

Under the new test, the applicant had to demonstrate his or her ability to spell by writing individual words as the registrar dictated them. Applicants in Selma were required to spell such difficult and technical words as “emolument,” “capitation,” “impeachment,” “apportionment,” and “despotism.”

In order to strike down these laws, President Lyndon Baines Johnson sent to Congress the Voting Rights Act. President Johnson sought to “strike down all restrictions” against African American voting. In the same setting where 104 years earlier Abraham Lincoln signed a bill freeing the slaves who had been pressed into Civil War service by the Confederacy, President Johnson signed the Voting

Rights Act of 1965 into law. In addressing top government officials and civil rights leaders, the President proclaimed, “Today is a triumph for freedom as huge as any victory won on any battlefield.”

The Voting Rights Act is made up of a number of technical provisions and amendments. In 1965, the Voting Rights Act of 1965 was passed (and extended in 1970, 1975 and 1982), which suspended the use of any literacy test or similar device in any state or county where less than half of the population of voting age had been registered or had voted in the 1964 elections. The Attorney General was authorized to appoint voting examiners to serve in any of those states or counties with the power to register voters and otherwise oversee the conduct of elections in those areas, and any new election laws in those states were required to obtain “pre-clearance” by the Department of Justice. The states affected were Alabama, Georgia, Louisiana, Mississippi, South Carolina, Virginia, and 40 counties in North Carolina.

In 1970, the Voting Rights Act of 1970 extended the 1965 Act for an additional five years. Alaska, Arizona, California, Idaho, New Mexico and Oregon were added to the coverage of the Act.

In 1975, the Voting Rights Act was extended for seven years; it extended coverage to any state or county where more than 5 percent of the voting age population belonged to certain “language minorities,” i.e. persons of Spanish heritage, American Indians, Asian Americans, and Alaskan natives. In such areas, all ballots and official election materials were required to be printed both in English and in the language of the minority or minorities involved.

In 1982, amendments to the Voting Rights Act were extended for another 25 years, except the language-minority provisions which were to remain in effect until 1992.

The provisions of the Voting Rights Act are not easily explained without reference to relevant Supreme Court cases. In some instances, major amendments to the act have been the result of Supreme Court holdings; other

times, major Supreme Court holdings have followed amendments to the act. Since it is easier to understand the act and its amendments in light of law decided by the courts, looking at the Act in sections as it stood after passage in 1965 and continuing through its last amendment in 1982 will help. The act is codified as amended at 42 U.S.C. §§ 1971, 1973 *et seq.* (1982).

The 1960s in the United States was a time of great turmoil and change. Although right-to-vote measures had been passed in 1957 and 1960, such measures were labeled “well-intentioned failures” because they rested on the painfully slow and tedious process of litigation. Passage of the Voting Rights Act of 1965 signaled the advent of the modern voting rights movement.

The 1965 Act contained some provisions applicable nationwide, including a general prohibition on discrimination in voting. When the act was originally passed, section 2 prohibited states from imposing or applying law “to deny or abridge the right of any citizen of the United States to vote on account of race or color.”

Some of the most important provisions, however, specifically targeted seven southern states: Alabama, Georgia, Louisiana, Mississippi, South Carolina, Virginia, and portions of North Carolina. The two areas of the act with the greatest impact on these states had the following effects:

- (1) suspension of the use of “tests” (such as literacy, education, or good character), which denied or abridged the right to vote; and
- (2) prohibition of enactment of any new discriminatory laws for five years by requiring the affected states to pre-clear all changes in their election practices with federal officials.

These provisions were applied to defeat conditions exemplified by Selma in 1965. Registration tests, such as the one in Alabama requiring passage of a complicated literacy or knowledge of government exam, were invalidated by the Act. We now know, however, that the Voting Rights Act has more far-reaching effects than application only in *vote denial* situations.

In order to understand the realm of conduct covered by the Act, we must look at Supreme Court activity during the years surrounding the Act’s passage. First, the concept of *vote dilution* was beginning to evolve out of court cases in the 1960s. Vote dilution is the concept that although minorities may have free access to registration and voting, certain practices in the states may still work to submerge minority voting strength and deny minorities equal and effective participation in the political process. Though vote dilution may take many forms, the practice of at-large voting or multimember districting gives rise to the majority of modern vote dilution claims. One commentator has defined the practice of at-large voting as follows:

Under an at-large scheme all the residents of a town, county, or other jurisdiction vote for all the members of a city council, county commission, or other governmental body. The majority, if it votes as a bloc, can choose all the officeholders, thereby denying a discrete minority an effective opportunity to elect any representatives of its choice.

In 1969, the Supreme Court made it clear in *White v. Register* that the Voting Rights Act applies not only in instances of *denial* of the right to vote but also in instances of vote dilution. The court stated that “[t]he right to vote can be affected by a dilution of voting power as well as by an absolute prohibition on casting a ballot.” The court went on to hold that section 5 pre-clearance applies to such changes as the adoption of at-large voting.

The 1970 amendments to the Voting Rights Act had the following effects:

- (1) extended (for five years) and nationalized the suspension of literacy and other tests for voting; and
- (2) increased the number of jurisdictions subject to the pre-clearance requirement.

During this period, the courts began to grapple with the proof required to show vote dilution in violation of the Act. In 1973, the Supreme Court invalidated multi-seat legislative districts in Dallas and Bexar counties in Texas because the districts diluted African Americans’ and Mexican-Americans’ voting strength. The most important

part of the *White* opinion, however, is not its holding but the court's analysis of the case. The holding is based upon five factors demonstrated by the plaintiffs:

- (1) a history of official discrimination against African Americans in Dallas County and Mexican-Americans in Bexar County;
- (2) the existence of a white slating group and racial campaign tactics in Dallas County;
- (3) cultural and language barriers and depressed voter registration in Bexar County;
- (4) a lack of responsiveness by elected officials to the needs of the minority community in Bexar County; and
- (5) numbered post and majority vote requirements in both jurisdictions.

For the first time, plaintiffs in vote dilution cases were given an indication of what proof would sustain a finding of violations under the Voting Rights Act. Soon after the decision in *White*, the Fifth Circuit elaborated on the *White* factors in *Zimmer v. McKeithen*, 485 F.2d 1297 (5th Cir. 1973). The Fifth Circuit expanded the criteria to be used in vote dilution cases, and this new criteria became known as the *Zimmer* criteria.

The *Zimmer* criteria include the following factors to be considered:

- (1) a lack of access to the process of slating candidates;
- (2) the unresponsiveness of legislators to the particularized interests of the minority community;
- (3) a tenuous state policy underlying the preference for multimember or at-large districting; and
- (4) the existence of past discrimination in general that precluded effective minority participation in the election system.

The *Zimmer* court also listed some enhancing factors to be considered, including: (1) the existence of large districts; (2) majority vote requirements; (3) anti-single-shot voting provisions; and (4) the lack of provisions for at-large candidates running from particular geographical sub-districts.

The 1975 amendments to the Voting Rights Act had the following effects:

- (1) the suspension of the use of literacy and other tests for voting were made permanent;
- (2) pre-clearance was extended for another seven years;
- (3) the coverage of the act was enlarged to include additional jurisdictions; and
- (4) for the first time, protection was extended to "language minorities."

Then, in 1980, the Supreme Court handed down its landmark opinion in *City of Mobile v. Bolden*. In *Bolden*, the Supreme Court established a *subjective intent* standard for vote dilution claims, requiring plaintiffs to produce evidence that a challenged practice was *racially motivated* in order to show violation of section 2 of the act. The plurality held that proof of the *Zimmer* factors would be insufficient to show an unconstitutionally discriminatory purpose.

The 1982 amendments to the Voting Rights Act could be accurately characterized as "The Legislature Strikes Back." The legislature was unhappy with the subjective intent test as articulated by the Supreme Court in *Bolden* and, as a result, section 2 of the act was amended to adopt the "results test." Section 2 now provides that no law may be imposed or applied "in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color..." Violations can now be established by showing the discriminatory *effect* of the challenged practices as contemplated in the *White* opinion. A showing of racial motivation for a challenged practice is no longer necessary. Section 2(b) also includes a "disclaimer," which provides that section 2 does not give minorities a right to *proportional representation*.

The legislative history of the 1982 amendments indicates that Congress was seeking to reinstate an analysis based on the factors set out in the *White* and *Zimmer* cases. The first real opportunity for the court to construe amended section 2 came in 1986 with *Thornburg v. Gingles*. In *Gingles*, plaintiffs challenged North Carolina's 1981 state legislative redistricting plan. Plaintiffs alleged that the plan diluted minority voting strength by submerging concentrations of African American voters within a white majority. In each of the challenged districts, the district court found violations of the plaintiffs' right to participate in the

political process on an equal basis. The Supreme Court affirmed the district court in all but one of the challenged districts.

In *Gingles*, the Supreme Court returned to the *White-Zimmer* analysis but emphasized some factors over others. The following factors derived from *White-Zimmer* are given more weight in *Gingles*:

- (1) a showing that the minority is sufficiently large and geographically compact to constitute a majority in one or more single member districts;
- (2) a showing that the minority is politically cohesive, or tends to vote as a bloc; and
- (3) a showing that the majority votes sufficiently as a bloc usually to defeat the minority's preferred candidate.

The question has arisen whether the Voting Rights Act applies to the election of state judges. It has been suggested that section 2 is not applicable in judicial elections because section 2(b) contains the phrase "to elect *representatives* of their choice," and judges are not representatives. The Fifth Circuit, however, expressly rejected this argument and held that section 2 *does* apply to judicial elections. A federal district court in Texas followed *Chisom* and held that the at-large system of electing state district judges in nine Texas counties is a violation of section 2 of the Act. The U.S. Supreme Court affirmed that section 2 of the act applies to judicial elections in Texas, but remanded the case to the Fifth Circuit for a determination of whether there had been a violation of the act. The Fifth Circuit found no violation of the act was proved.

Although the current provisions of the Voting Rights Act may seem confusing at first glance, the following *general principles* are fairly clear:

- (1) states are not allowed to pass or retain laws regarding voting practices which have a discriminatory *effect*;
- (2) under the act, discriminatory intent is not *required* to be shown as long as the *effect* of the practice is discriminatory; and
- (3) the act applies not only to laws which effect *outright denials* of the right to vote (e.g., literacy tests), but is also directed at laws which *submerge minority* voting strength (e.g., at-large voting);

(4) violations of the act may be shown from a *totality of the circumstances* by taking into account the factors which have been set out in case law.

In July 2006, the Voting Rights Act was renewed by Congress and signed into law by President George W. Bush. After much debate the House of Representatives passed the renewal by a vote of 390-33, with some Members objecting to provisions requiring Justice Department oversight of proposed election procedure changes in states covered by the law. The Senate passed the renewal 98-0 a week after the House. Less than a week later, President George W. Bush signed the bill, extending the Voting Rights Act for another twenty-five years. Lawmakers of both parties felt that "federal supervision was still required to protect the ability of minorities and the disadvantaged to cast ballots in some regions of the country." As Senator Barack Obama (D-IL) said of the need to extend the Voting Rights Act, "Despite the progress these states have made in upholding the right to vote, it is clear the problems still exist."

Case Study: Baker v. Carr (1962)

Decatur County and Carter County both had the same number of representatives in the Tennessee legislature. Yet Carter County had four times as many people as Decatur did. Such inequalities were common throughout the state. The counties with the fewest representatives in proportion to their population tended to be those with cities in them. Critics said that the over-representation of rural districts created a legislature that tended to ignore urban problems. Mayor Baker of Nashville filed a suit in court. He argued that this "political discrimination" violated the Equal Protection Clause of the Fourteenth Amendment. The Tennessee Constitution had provided for reapportionment, that is, a readjustment of the number of legislators according to population changes, every ten years. Nevertheless, the state legislature had made no changes since 1901. Baker asked the court to prevent any further elections until districts could be re-divided more evenly according to the latest census figures.

The State of Tennessee argued that a balance should be struck in the legislature between urban and rural influ-

ence, rather than apportionment based purely on population. Besides, said Tennessee, federal courts had no right to interfere in this matter. Apportionment was a “political question” which traditionally had been left for state legislators to decide. The case eventually was heard by the U.S. Supreme Court.

Court's Ruling

The U.S. Supreme Court ruled in favor of Mayor Baker. The opinion was written by Justice Brennan. First, the court held that the under-represented urban districts had been denied equal protection of the laws. The apportioned number of representatives for the Tennessee legislature was a “crazy quilt without rational basis.” There was an “unjustifiable inequality” between counties. Second, the court tossed out the argument that apportionment was purely a “political question” for the legislature to decide. A citizen’s right to relief under the Equal Protection Clause, declared the court, is not lessened because the discrimination against him involves political rights. Tennessee voters had tried unsuccessfully to get the legislature to reapportion itself more evenly. But the over-represented rural districts, which held the lion’s share of power, checked all such moves. Tennessee voters in this case, said the Supreme Court, had no other way to get relief than by going to a federal court.

Discussion Questions and Activities:

1. Explain how the literacy and government tests were used to keep African Americans from voting.
2. Why did President Johnson call the Voting Rights Act of 1965 “a triumph of freedom”?
3. How might the right to vote preserve freedom?
4. What is the difference between vote denial and vote dilution? Give an example of each.
5. In the 1980’s, amendments to the Voting Rights Act modified the standard to judge the cases from subjective intent to a results test. Is it now easier or more difficult to prove discrimination? Why?
6. Investigate the Johnson administration’s record on civil rights. What accounts for the passage of major civil rights legislation in the 1960s and 1970s? How effective were the Civil Rights Act of

1964 and the Voting Rights Act of 1965? What changes have been made to these acts within the last generation? Is the commitment to civil rights as strong today as it was in 1965? Explain.

Questions for the Case Study:

1. Do you think it is wise for a state legislature to guard against a predominantly “city point-of-view?” Why or why not?
2. In what way, if any, does unequal representation in a state legislature deny some voters equal protection of the laws? Do you agree or disagree with the argument that unequal representation is a form of discrimination? Explain.
3. Do you think reapportionment is a “political question” that ought to be decided by the state legislature without any interference from federal courts? How successful would under-represented citizens be in getting an unfairly apportioned legislature to reapportion itself? Explain your answers.
4. How would you have ruled in the *Baker* case? Why? Compare your answer with the U.S. Supreme Court’s ruling.

Voting Rights Act of 1965 Resources:

- www.lbjfutureforum.org/
- www.npr.org/templates/story/story.php?storyId=4769685
- www.usdoj.gov/kidspage/crt/voting.htm
- www.renewthevra.org/
- www.civilrights.org
- “The Nation: Civil Rights,” *Time*, (March 19, 1965).
- Katzenbach, “Voting Rights Act of 1965,” *Vital speeches of the Day*, v. 31 (April 15, 1965).
- “An American Tragedy,” *Newsweek*, (March 22, 1965).
- “A Barrier Falls: The U.S. Negro Moves to Vote,” *Newsweek*, (August 16, 1965).
- Pub. L. No. 89-110, §2, 79 Stat. 437 (1965).
- McDonald, “The Quiet Revolution in Minority Voting Rights,” *Vanderbilt Law Review* 1249 (May 1989).

Allen v. State Board of Education, 393 U.S. 544 (1969).

White v. Regester, 412 U.S. 755 (1973)

City of Mobile v Bolden, 466 U.S. 55 (1980).

42 U.S.C. §1973(1982)

Senate Judiciary Committee Majority Report at 28-29

Thornburg v. Gingles, 478 U.S. 30 (1986)

Gingles v. Edmisten, 590 F.Supp. 345 (E.D.N.C. 1984)

Chisom v. Edwards, 659 F.Supp. 183 (E.D. La. 1987)

League of United Latin American Citizens, Council No. 4434 v. Mattox, No. MO88-CA154 (W.D. Tx. November 9, 1989).

Houston Lawyers' Ass'n v. Attorney General of Tex., 501 U.S. 419 (1991)

League of United Latin American Citizens v. Clements, 999 F.2d 831 (5th Cir. 1993), cert denied, 114 S.Ct. 878 (1994).

Website Interface:

Go to www.theyhadadreamtoo.org to see more on Voting Rights with John Martin.

Protests in Schools

TAKS OBJECTIVES COVERED:
US.7A-C; US.21A; 8.17B; US.17A; 8.20A-B; 8.22B

Mary Beth Tinker

Case Study: *Tinker v. Des Moines School District* (1969)

In December 1965, a youth church group in Des Moines, including fifteen year-old John Tinker, sixteen-year old Christopher Eckhardt and thirteen-year-old Mary Beth Tinker, held a meeting and decided to wear black armbands during the holiday season to show their objections to the Vietnam War. Days before the students were to wear the armbands, principals of the Des Moines schools they attended learned of their plan and adopted a policy that any student wearing an armband to school would be asked to remove it and if the student refused he would be suspended until he returned without the armband. The students were aware of the new policy that the schools had adopted.

On December 16, 1965, Mary Beth and Christopher wore black armbands to their schools. The next day John wore his armband. Mary Beth, Christopher and John were all sent home and suspended from school until they would come back without the armbands. None of the students returned to school until after the holiday season had ended.

The students, with the help of their parents, filed a complaint in district court and asked for an injunction to restrain the school officials and the school district from disciplining them for wearing the armbands. The district court dismissed their complaint, finding that the school's actions were reasonable to prevent disturbance of school discipline. The appellate court affirmed the district court's decision. The case eventually was heard by the U.S. Supreme Court.

Court's Rulings

The U.S. Supreme Court, in an opinion by Justice Fortas, ruled that prohibiting expression of opinion, without any evidence that the rule is necessary to avoid substantial interference with school discipline or the rights of others, is not permissible under the First Amendment. The Supreme Court found that wearing an armband for the purpose of expressing a view is a symbolic act that is within the Free Speech Clause of the First Amendment.

Justice Fortas said, "It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate." He explained that in order for school officials to justify a rule against a particular opinion, the school must be able to show that the school's action was caused by something more than the desire to avoid the unpleasantness of an unpopular viewpoint. Justice Fortas found that there was no evidence that the students' wearing armbands would substantially interfere with the school or the rights of other students. In fact, Justice Fortas noted that in a school system of 18,000 students only a few wore the armbands, only five students were suspended, and there were no threats or fights at the schools because of the armbands.

Discussion and Activities:

1. The students knew of the policy forbidding them from wearing armbands. Why do you think they wore them, knowing that they would be suspended?
2. Have students at your school exercised their rights in a similar way as Mary Beth, John and Christopher? If so, what did they do and what was the school's response?
3. For what type of speech at school should a student be disciplined? Why?

Tinker v. Des Moines Resources:

Tinker v. Des Moines School District, 393 U.S. 503 (1969)

www.landmarkcases.org/tinker/background2.html

www.abanet.org/publiced/lawday/tinker/home.html

www.freedomforum.org/packages/first/curricula/educationforfreedom/L08main.html

Website Interface:

Go to www.theyhadadreamtoo.org to see more on her case with Mary Beth Tinker.

Other Civil Rights Movements

TAKS OBJECTIVES COVERED:
US.2C; US.7A-C; US.21A; 8.17B; US.17A; US.18B

Mexican-American Civil Rights Movement

*We Mexicans here in the United States,
as well as all other farm laborers,
are engaged in another struggle
for the freedom and dignity which poverty denies us.
But it must not be a violent struggle,
Even if violence is used against us.*

CESAR CHAVEZ
September 16, 1965

The Mexican-American Civil Rights Movement does not receive the same attention as other social movements of the 1960s. Just as with blacks in the South, Hispanics were denied basic rights, including voting, an equal education, decent housing, and their own land. In many ways the Mexican-American Civil Rights Movement encompassed a broader range of issues. Hispanics sought not only political and voting rights but also enhanced educational opportunities, farm workers rights, and restoration of land grants.

In the Southwest, in Texas, New Mexico, Arizona, Colorado and California, the Mexican-American Civil Rights Movement became stronger. Youth were a focus of the movement. Children in Crystal City, Texas and Los Angeles, California formed similar walk-outs as did Barbara Johns in Virginia. Their protests ultimately affected change.

Of course, the Mexican-American Civil Rights Movement had its own leader, Cesar Estrada Chavez. The speeches and actions made by Chavez resonated with the Mexican-American population and other migrant workers. Chavez, the son of an immigrant from Mexico, initially worked as a volunteer with the Community Service Organization (CSO). This organization helped register voters in 1949 and was ultimately responsible for getting an Hispanic elected to city council in Los Angeles. Chavez later helped found and became President of the National Farm Workers Association (NFWA). The union's flag had

a black eagle in a white circle on a red background with the motto "Viva la Causa!" Local farmers faced woefully inadequate wages and intolerable working conditions. Learning from the nonviolent civil rights movement led by Dr. Martin Luther King, Jr., Chavez encouraged a nonviolent strike, which was voted on unanimously. Over many years, Chavez called for numerous strike and boycotts of farming items such as grapes and lettuce, garnering the support of many, and ultimately winning the rights the farmers were seeking. It was this leadership that encouraged young Hispanics across the country to take a stand.

Rodolfo "Corky" Gonzales founded the Crusade for Justice in Denver, Colorado, in 1966. Gonzales, a poet who penned the famous poem "I am Joaquin," reached out to Hispanic youth. The first ever Chicano Youth Conference was held in Denver in 1967 and brought together Hispanic youth from all over the country - not just the Southwest border states.

On March 8, 1968, students seeking better education conditions in East Los Angeles, gained their voice, showed the power they possessed, and walked out of their classes in multiple schools in Los Angeles, California. Designed to protest the lack of Hispanic teachers, high drop out rates, simple, unchallenging curricula, crumbling schools, and unsatisfactory cafeteria fare, the walkout was intended to be a peaceful show of the students' resolve. These walkouts led to increased awareness of the conditions and ultimately, improved conditions.

The police were called to Roosevelt High School under the pretext of clearing the students from blocking a fire exit. The police were unnecessarily brutal with the students, being both verbally and physically abusive, although some cite the presence of the Brown Berets - a group of militant young Chicanos often targeted for harassment by law enforcement - who panicked police as the cause of the violence. Following the walkout, Sal Castro, a teacher who supported the students' actions, was fired from his position. This galvanized the entire community to support the students and get Castro rehired. Unfortunately, the schools did not change that much following the student action. The walkout's main accomplishment was drawing attention to the plight of Hispanic students because their demands for bilingual education, more Hispanic teachers, and courses focused on Mexican-American history went largely unmet.

More success, however, was had in Crystal City, Texas, the birthplace of Hispanic political party La Raza Unida. The town is predominantly Hispanic, however, by the early 1960s no one of Mexican-American descent had ever held an elected office. In 1963, with the help of union organizers, five Hispanics were elected to the city council, but nothing changed for the students at Crystal City High School. The school board was still all white, and Hispanic students still faced discrimination from teachers and administrators.

In 1967 three young Hispanics - led by Jose Angle Gutierrez, a Crystal City native who was attending in college in San Antonio - founded the Mexican-American Youth Organization to organize Crystal City High School students. Within two years the students had a national impact. A conflict arose at the school over the ethnic composition of the cheerleading squad. By school rule only one Hispanic cheerleader was allowed on the squad although the school population was 90% Mexican-American. Following student complaints, a compromise created a squad of three white cheerleaders and three Mexican-American cheerleaders. The school board voided that agreement, which prompted 100 Mexican-American students and their parents to address a long list of complaints to the school board. Again the school board refused to end the school's discriminatory policies. So the youth planned to stage boycotts at the high school.

The boycotts were, of course, not just aimed at a more ethnically balanced cheerleading squad. Mexican-American students in Crystal City had, for years, been subjected to many forms of discrimination. They were taunted by their Anglo peers and paddled for speaking Spanish. Honors and awards at the school were given by white faculty, including student awards like "Most Likely to Succeed" and "Most Handsome." Thus, every year, white students received those awards even though they comprised just ten percent of the student body. Further, membership in groups like the National Honor Society was not based on grades but on selection by teachers, meaning Hispanic students were not allowed in many school organizations. Even Mexican food was banned from the cafeteria; students who brought tacos from home were forced to eat them off campus.

The list of demands assembled by student leaders mirrored the demands sought by other student groups - both black and Hispanic. Students wanted social studies classes to teach Mexican-American history, bilingual courses, and smaller classes. Students also sought to end the practice of requiring Hispanic students to perform janitorial work around the school. Of course, the students also sought to end the racial quotas for cheerleaders.

The first day of the strike, December 9, 1969, saw about two hundred high school students boycott school. The movement spread in the coming weeks to middle and elementary campuses in the district. Soon almost three-quarters of the students in the Crystal City School District were on strike. Further, students formed picket lines in front of the schools - a distinct twist on Southern whites' attempts to block the integration of their schools with black students in the 1950s.

Of course officials and white citizens responded. Police were called in to arrest protesters. Students received hate mail. One letter threatened a female student with being "tarred-and feathered."

Three of the striking students visited the Washington, D.C., headquarters of the United States Department of Justice. Soon a team of federal officials arrived in the South Texas town to negotiate a settlement of the dispute. The agreed compromise obligated the school board to

meet most of the students' demands, including bilingual, bicultural education, more activities recognizing Hispanic culture, and better testing programs for all students.

Immediately following the students' successes, the La Raza Unida party was formed. In the next election, La Raza Unida received enough votes to capture seats on both the school board and the city council. La Raza Unida soon held a majority of all school, city, and county elected offices. Politically empowered, Mexican-Americans were quick to meet the demands of the students. An unprecedented district-wide program of bilingual, bicultural education was instituted.

More La Raza Unida chapters were organized in other Texas counties with large Hispanic populations as well as in the states of Arizona, California, Colorado, and New Mexico. The formation of La Raza Unida is cited as the most important effort in Mexican-American politics in American history. Mexican-Americans, previously described as powerless and apathetic, finally had a voice to challenge discrimination and achieve representative government.

Discussion Questions and Activities:

1. Do any of the issues complained about by the California and Texas students still exist today?
2. How have students addressed these issues recently? (Discuss immigration marches and walk-outs)
3. Is it a good idea to challenge poor education by walking out of school? Why? Why not?
4. What other ways could you affect change?
5. How was the Voting Rights Act significant to the Raza Unida party winning elections in Crystal City, Texas?
6. Why do you think the NFWA chose the symbols and motto on its flag?

Other Movements Resources:

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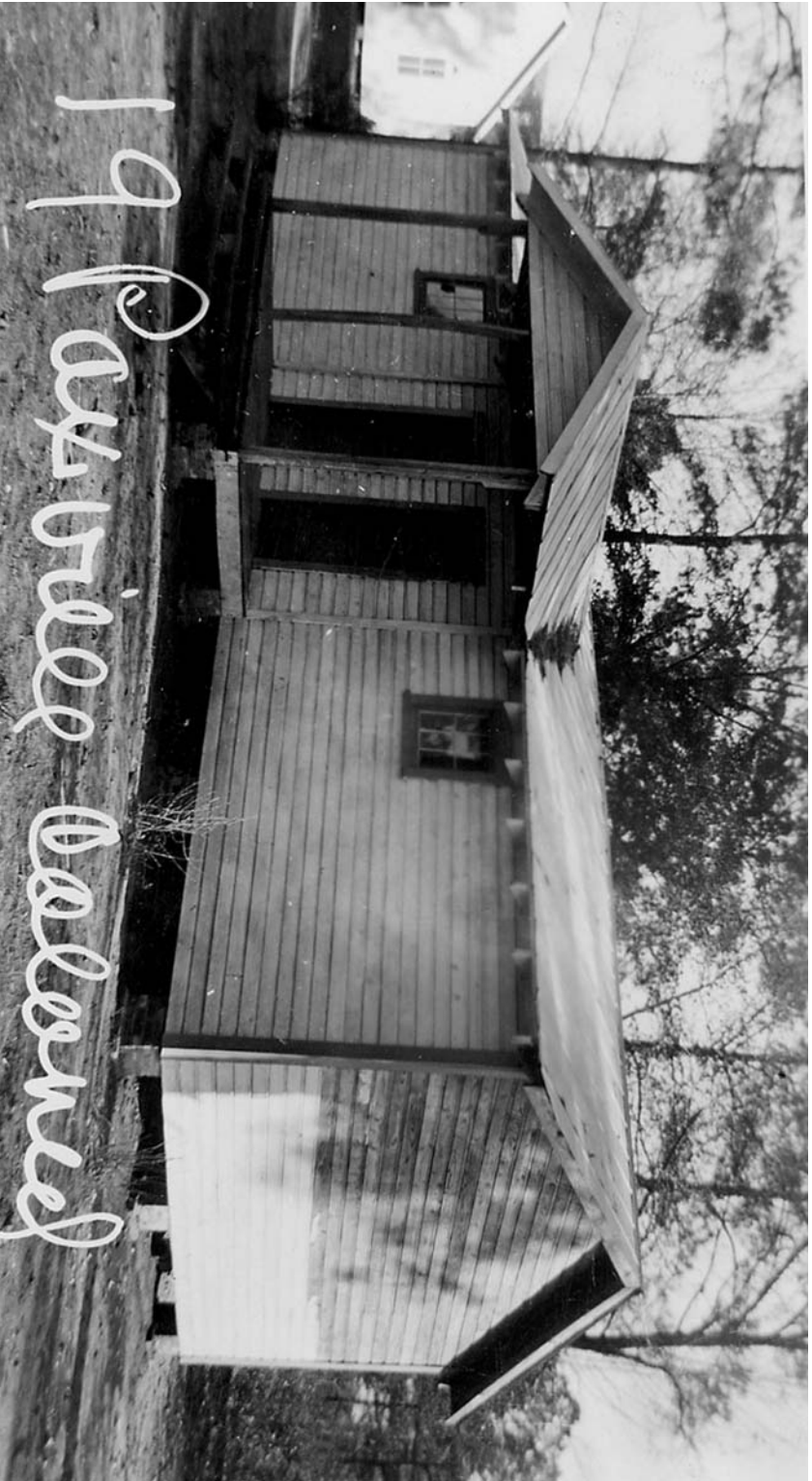
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Website Interface:

Go to www.theyhadadreamtoo.org to see more on the Mexican-American civil rights movement with Henry Cisneros and Norma Cantú.

Appendix



Courtesy of South Carolina Department of Archives and History

Paxville Colored School, Paxville, South Carolina



Courtesy of South Carolina Department of Archives and History

White School, Paxville, South Carolina



Courtesy of Library of Congress

One-teacher School, Vaezy, Greene County, Georgia, 1941



Fourth-grade class, Potwin School, Topoka, Kansas, 1950

Courtesy of Topoka Shawnee Public Library

Notes:

Notes:



They Had a Dream Too

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