

## The Long Civil Rights Movement in South Carolina

While I had probably spent more time in the South than most SCOPers prior to the summer of 1965, South Carolina was *terra incognita*. I did not then know that the Palmetto state was a major source of immigrants to Alabama early in the 19th Century, including several of my ancestors. Many Alabama counties were named for heroes of the War for Independence in South Carolina, including my mother's home county of Marion. Nor did I know that South Carolina and Mississippi were the only two states with majority Negro populations after the War. Or that South Carolina had passed the notorious "eight-box" law in 1882, which mandated that voters put their tickets for President, Congress, governor, state senator, etc. into separate boxes. If a ticket was put into the wrong box, it wasn't counted. This law made it difficult for illiterates to effectively participate in elections. According to the 1880 Census, 78 percent of Negro males over 21 were illiterate compared to 16 percent of comparable white males. This implicit literacy requirement reduced the potential voting population from significantly Negro to overwhelmingly white. (Perman, 2001, 94)

White men took back the South Carolina government in the election of 1876. A state census in 1875 had found a male WVAP of 74,193 and a male NVAP of 110,735. Nonetheless, a Democratic ticket composed of Confederate officers won by 134 votes, replacing a Republican incumbent with one of their own. That was accomplished through intimidation and fraud. Members of gun and sabre clubs picked up their rifles and put on red shirts to go to Republican rallies and bust them up or take them over. They also accompanied Democratic candidates as a show of force. On election day they went to the polls to prevent Negroes from voting, as well as to cast multiple tickets themselves. Republicans contested the results, with the result that for four months there were two South Carolina governments. The Presidential contest was also close. Democratic candidate Samuel J. Tilden won the popular vote but was one vote shy of a majority in the electoral college. Twenty electoral votes in four states were contested. In the "compromise of 1877," Congress gave them to Hayes, making him President by one electoral vote. In exchange, Republican President Hayes withdrew federal troops from the South and allowed the Democrats to take control of the South Carolina government. Another Republican wouldn't be elected Governor until 1974. (*South Carolina Encyclopedia*, "Election of 1876," "Red Shirts,")

White South Carolina completed the process of disfranchisement at its 1895 constitutional convention, where the presence of six Negro delegates served only to unite the whites. Since the 15<sup>th</sup> Amendment made it impossible to explicitly exclude Negroes from voting, suffrage requirements were tailored to characteristics thought typical of Negroes. Modeled on Mississippi's 1890 document, it had a two-year residency requirement (because Negroes were believed to move frequently) and payment of a poll tax six months before an election (usually in the Spring when farmers were least likely to have cash). The new constitution required everyone to re-register every ten years beginning in 1898. There was also a list of disfranchising crimes which were thought more likely to be committed by Negroes. Adultery was on the list; murder was not. (Perman, 2001, 101; Tindall, 1952, 26-87; Bass 2009, 70-1)

A prospective voter either had to be rich or read. He had to own property assessed at

\$300 or more, on which he had paid all taxes, or prove his ability to read and write a section of the South Carolina Constitution chosen by the registrars. According to the 1890 Census, there were 30,000 more Negro males 21 or over than white. If the illiterates among them were subtracted, there were 15,000 more whites among the potential voters. In 1900 there were 22,000 more Negro males of voting age than white. Among the literates, there were 45,000 more whites than Negroes. When all the other factors were applied, especially by election boards composed of white men, the number of Negroes who could vote was reduced to a mere handful. To make sure that even these few could not exercise a meaningful vote, in 1896 the white primary was created. Payment of the poll tax was not required to vote in primaries, which were the only meaningful elections in this one-party state. (Newby, 1973, 43)

Census figures show that the Negro portion of the South Carolina population peaked in 1880 at 60 percent, then declined as life became increasingly harsh. Between 1882 and 1930 148 Negroes and 8 whites were lynched in South Carolina. (Tolnay and Beck, 1995, 273) As more and more Negroes migrated out of the state their portion of the state population declined. The 1920 Census was the last one in which Negroes outnumbered whites. During the 1920s black emigration escalated as the economy plummeted. There were 70,000 fewer Negroes living in South Carolina 1930 than in 1920. The white population increased by 125,000. By the 1960 census Negroes were only 35 percent of the state population.

The NAACP's decision to organize in the Deep South coincided with the U.S. decision to enter the Great War in April 1917. As the country mobilized, James Weldon Johnson, recently appointed field secretary of the NAACP, toured the Atlantic coast states recruiting Negroes to join and to form branches. Chapters in South Carolina's two largest cities, Charleston and Columbia, came from that early effort. Based on pre-existing civic leagues, they started with 75 members between them. The Columbia chapter, being in the state capital, focused on voter registration. Within a year it had increased the number of Negro men registered to vote in Richland County to 2,200. The Charleston chapter sought to replace white teachers with black in the Negro schools, both to provide better jobs for some educated Negroes and to keep white teachers from teaching white supremacy to Negro children. It obtained 5,000 signatures on a petition to the governor and the legislature. Convinced that this furthered segregation, the legislature directed the Charleston school board to hire only Negro teachers for the Negro schools. All this organization was stimulated by the Great War. When President Woodrow Wilson called upon Americans to "make the world safe for democracy" Negroes heard it as a call to bring democracy to America. The Great War ended on November 11, 1918. By 1919 there were four NAACP chapters in South Carolina, with 1,111 members; by August of 1920 there were eight. (Sullivan, 2009, 63; Newby, 1973, 157-9; Lau, 2006, 23, 29-30, 41-44; Bass, 2009, 76-77; *The Crisis* August 1920, 181)

As was true elsewhere in the country, South Carolina whites responded harshly when returning Negro veterans demanded respect. The Red Summer of 1919 got its name from 38 bloody race riots that year. They occurred throughout the country, but were concentrated in the South. The riots generally involved whites attacking Negroes, or burning Negro homes and businesses, though what attracted press attention was how often Negroes fought back. One of the first such riots was in Charleston. Starting as a fight between a local Negro and a group of white

sailors, it turned into a rampage in which whites beat up Negroes and wrecked businesses in the Negro neighborhoods. Three men were killed, all Negro, and 25 injured, two-thirds of whom were Negro. South Carolina Congressman James F. Byrnes told the House that the months of violence across the nation could be laid at the feet of the NAACP and the Industrial Workers of the World (IWW). These claims were repeated by the *New York Times* which said “The doctrines of Lenin and Trotsky are being circulated among negroes in all parts of the country.” (*NYT* 5-11-19, 3; 10-5-19, 112; quote in 10-19-19, 6; Newby, 1973, 192; 66:1 *Cong. Rec.* 8-25-19, 4302-5)

South Carolina was one of eight states in which no woman could vote for anything until the 19<sup>th</sup> Amendment modified the U.S. Constitution in August of 1920. At the first registration day in September long lines of black women greeted the Columbia registrars. Quite a few managed to register to vote despite the hurdles put in their path, such as requiring that they read complicated passages from state legal codes. The registrars didn't let that happen again. (Lau, 2006, 32-3)

During the 1920s the boll weevil's destruction of the cotton crop and a bad economy had a more profound effect on Negroes than on whites. Between the 1920 and 1930 censuses, the Negro population in the state declined by over 8 percent while the white population rose 15 percent. NAACP membership rose slightly then declined to the point that only the branches in Columbia and Charleston still functioned, but not by much. Throughout the South the Ku Klux Klan grew, fed by economic dislocation and fear that white supremacy was under assault. The second incarnation of the KKK was born in Georgia in 1915, midwived by the film *Birth of a Nation*, which was set in South Carolina and glorified the Reconstruction era Klan. Lynching had been on the decline, but in South Carolina 14 Negroes were lynched between 1919 and 1927. (Lau, 2006, 57, 64-67; Bass, 2009, 73-74) By the end of the decade the NAACP was moribund in South Carolina.

As was true throughout the South, improvement for Negroes came through a combination of self-help and Northern philanthropy. No place was this more evident than in the schools. Rockefeller's General Education Board contributed almost \$180,000 for Negro education in South Carolina over 20 years. The Jeanes fund spent almost \$100,000 between 1909 and 1928 to train teachers. Over \$380,000 came from the Rosenwald Fund to build over 500 South Carolina schools. (Deutsch, 2011, 156) Local Negro communities provided matching funds; some money came from public coffers. The John F. Slater Fund built its first secondary school in Clarendon County in 1913. By 1933 the Fund had built 59 schools in South Carolina at a cost of \$80,000. However, only half provided a full four years of secondary education. (Redcay, 1935, 76, map insert; <http://www.nationalregister.sc.gov/MPS/MPS050.pdf>)

The Great Depression was a period of turmoil with multiple labor strikes and a fair amount of racial conflict. The national NAACP hired Daisy Lampkin to revive the branches. In South Carolina their number went from three in 1930 to 8 in 1939, when the state conference was founded. (Lau, 2006, 98, 119; Hoffman, 1959) One of the founders, and one of only two women to hold a state office, was Mary Modjeska Monteith Simkins. Born in 1899, she spent almost two decades advancing the goals of the NAACP. After graduating from Benedict College

she taught school until she married in 1929. Like many states, South Carolina law did not permit married women on the public payroll, on the grounds that it deprived a male family head of a job. As her husband was a prosperous businessman and they had no children, she devoted her time to her causes. (Woods, 1990, 99-104; Jones-Branch, 2012)

In 1943 Ella Baker became the NAACP's Director of Branches, the highest position held by a woman in the national organization. She worked with Simkins in a campaign to equalize South Carolina's teachers' salaries, which vastly expanded the membership base. Like most Southern states, South Carolina had four separate teacher pay scales, for each race and gender. The NAACP took over a Charleston legal case asking that Negro teachers be paid on the same scale as whites. After hearing the parties' oral argument in February of 1944, federal district Judge J. Waties Waring issued an injunction from the bench that different salaries "predicated on race or color are unlawful and unconstitutional." When the state legislature tried to find a way around this, he ordered the Richland County school board to equalize teachers' salaries within a year. These rulings, and the comments made from the bench by this pillar of the legal establishment, sent ripples of astonishment throughout South Carolina *and* the NAACP. (Ransby, 2003, 137; Bass, 2009, 88; quote in *ADW* 2-17-44, 1; *Thompson v. Gibbes*, 1945)

Waring was appointed to the bench by FDR in 1941 with the support of both of South Carolina's white supremacist Senators. His life up to then gave none of them reason to doubt his allegiance to Southern mores. He was a New Deal Democrat, as was Alabama Senator Hugo Black when he was appointed to the Supreme court, but so was James Byrnes and *he* never let that affect his commitment to segregation. Most attributed Waring's radical reformation to switching spouses in 1945. His divorce from his wife of 33 years, daughter of a prominent South Carolina family, to marry a "northern" woman 15 years younger was deemed scandalous and resulted in social ostracism. That may have freed him from the pressures of friendship to move in a more radical direction, but, as demonstrated by the 1944 case, it was a direction in which he was already inclined. (Southern, 1981)

Waring *was* influenced by his second wife, Elizabeth, who attended court to listen to his cases and set them both on a reading course of such books as Gunnar Myrdal's *An American Dilemma* that most Southerners knew only from their critics. She publicly blasted Southern whites who resisted desegregation efforts as "morally weak and low." As the Warings were ostracized by Charleston whites, they more and more socialized with Charleston Negroes. On frequent trips to New York they became friends with the movers and shakers of the NAACP Inc. Fund and influenced its legal strategy. The judge urged them to challenge school segregation directly rather than through equalization suits. The judge also integrated his courtroom, even to the point of requiring that white and Negro jurors take their meals together at whatever (white) restaurant the marshals escorted them to. (Yarbrough, 1987, 53-54; Williams, 1998, 200; quote in Jones-Branch, 2014, 41, 46)

New Deal programs had benefitted Negroes, even when they were segregated, bringing many to vote for FDR in 1936 and more in 1940 (and to name their children Roosevelt). The Republican Party had already ceased to be the party that freed the slaves as it was taken over by those who wanted a "lily-white" party in which national patronage would not go to local

Negroes. The Southern NAACP branches conducted numerous voter registration drives, increasing the Negro electorate, but its influence was limited to voting in the general election. The primary, which chose the winners, was restricted to white voters. On April 3, 1944 the Supreme Court invalidated Texas' white primary. (*Smith v. Allwright*, 1944) The South Carolina legislature repealed all of its primary laws in order to turn the Democratic Party into a completely "private" organization, setting the stage for the next legal battle. On June 12, 1947 Judge Waring ruled that the Democratic Party was an agent of the state in choosing those who would appear on the ballot in November and as such could not exclude Negroes. "It is time for South Carolina to rejoin the Union. It is time to fall in step with the other states and to adopt the American way of conducting elections," he wrote. On appeal the Fourth Circuit unanimously affirmed and the Supreme Court declined to hear the case. (Lau, 2009, 134-5, 177; Quint, 1958, 4-5; quote in *Elmore v. Rice*, 1947) In April of 1948, Negroes voted in a city primary in Columbia for the first time since 1876. (*NYT* 4-21-48, 3; *WP* 4-21-48, 2)

Still not willing to admit Negroes, the Democratic Party issued rules which allowed them to vote in the primary if registered, but made it impossible for them to participate in any other party club, committee or function, where important decisions were made. To become a member of the Democratic Party, one had to take an oath to uphold segregation and declare one's opposition to fair employment practice legislation. This led to another lawsuit. On July 16, 1948, Judge Waring told party leaders to admit Negroes to all party functions without reservation. He threatened to hold them in contempt and possibly send some to jail if they didn't. "The time has come when racial discrimination in political affairs must stop," he told them. (Quint, 1958, 5-6; *BAA* 7-17-48, 2; rules and oath in *Brown v. Baskin*, 1948; quote in *Sun* 7-17-48, 1)

Modjeska Simkins and other black women often worked with white women in the Southern Regional Council such as Alice Norwood Spearman and Edith Dabbs. However, religion more than politics brought black and white women together. The YWCA in particular promoted interracial co-operation. In 1944 it hired Dorothy Height to bring Negro and white women together. Another group was the United Council of Church Women, first formed in 1941 as an organization of 70 Christian denominations, eventually becoming Church Women United. Nationally, these organizations pushed for desegregation. Locally, however, response varied. In South Carolina the Greenville branches were more successful than those in Charleston in urging racial progress. (Jones-Branch, 2014, 17-18, 74, 78, 98, 112, 122)

While fighting the white primary in the courts, NAACP leaders also pursued a political strategy. Newspaperman John H. McCray, state NAACP chairman James Hinton, physician Robert W. Mance and businesswoman Modjeska Simkins founded the Progressive Democratic Party (PDP) of South Carolina on May 24, 1944 in order to challenge the official delegation to the Democratic National Convention meeting in Chicago in July. Although the PDP publicly supported the re-election of Roosevelt and the regular S. C. Democratic Party did not, the Credentials Committee dismissed their petition on a technicality. In November the PDP ran businessman and NAACP activist Osceola McKaine for Senate on a separate ticket than that of the regular (white) Democrats. He received 3,214 votes. (Quint, 1958, 6; *ADW* 7-20-44, 5; 11-18-44, 4A; *BAA* 7-22-44, 1; 7-29-44, 15; 11-18-44, 10; Egerton, 1994, 227-8; Bass, 2009, 88) In 1948 the PDP once again challenged the all-white state delegation to the Democratic

Convention. This year white liberals created still another party variation. The Citizens Democratic Party sent a proposed delegation of 17 whites and 3 blacks. Both it and the PDP were denied South Carolina's delegate votes. (*BAA* 7-10-48, 3; 7-17-48, 1; 7-24-48, A1; *ADW* 7-18-48, 2) Two days after the Democratic National Convention ended, the South Carolina delegates joined with 6,000 other Southern whites to form the States Rights Democratic Party and run their Governor, Strom Thurmond, for President.

On August 10, South Carolina held its primary to choose the Democratic Party candidates in the November election. The NAACP estimated that between 30,000 and 35,000 Negroes voted in this primary, out of 40,000 registered. It was the largest Negro vote in 70 years, despite two weeks of intimidation and Klan cross burnings outside of NAACP meetings. (*NYT* 8-11-48, 46; *BAA* 9-21-48, 1 Lau, 2009, 178-80) In November, Strom Thurmond got 71.9 percent of the popular vote in South Carolina and all eight of its votes in the electoral college. Truman and Dewey together got a little less than 40,000 votes. Many of the 102,607 Democrats who voted for Strom Thurmond had signed an oath to vote for the Democratic Party nominees, not the States Rights Democratic Party nominees.

After his decision eliminating the white primary, Waring's phone rang constantly with harassing phone calls. For the rest of his decade on the bench he was revered by blacks and reviled by Southern whites. In South Carolina he was regularly attacked by the newspapers, candidates for public office used him as a campaign issue, politicians called for investigations and even for his impeachment. His house was stoned and his wife attacked verbally and in print. He was also honored by the NAACP and hailed as a hero by many in the North. (Yarbrough, 1987, 76-93, 107, 145, 154-60; *NYT* 7-28-48, 5)

If Waring's decisions to integrate the white primary shook up the state's political establishment, his decisions in education cases shook up the whole state. The earliest was made on July 12, 1947 when he relied on a 1938 Supreme Court decision to compel the state to create a new law school for Negroes. John H. Wrihten had sued to be admitted to the University of South Carolina law school, the only law school in the state. During Reconstruction 11 Negro men had graduated from that law school. USC was closed in 1877 and re-opened in 1884 for whites only. Judge Waring ordered the state to either admit Wrihten to USC, or create a law school for Negroes, or abolish the one at USC. He did not give South Carolina the option popular with other Southern states of paying the tuition for Negroes to go to some other state's law school that would admit them. South Carolina created a new law school at South Carolina State College, the only state college for Negroes. Despite its small size, for the next 20 years it trained the lawyers who would handle the legal challenges to segregation and inequality in the state. One of its earliest graduates was Matthew J. Perry, who served as counsel on almost a hundred civil rights cases before being appointed as the first Negro federal district judge in South Carolina by President Jimmy Carter in 1979. (*Missouri ex rel. Gaines v. Canada*, 1938; *Wrihten v. Board of Trustees*, 1947; [http://www.law.sc.edu/history/time\\_line.shtml](http://www.law.sc.edu/history/time_line.shtml); Burke and Gergel, 2004, 45-49)

The NAACP's lynchpin case which declared school segregation unconstitutional began in South Carolina in 1946 and Judge Waring played a crucial role. Inspired by a talk on school reform given in Columbia by the state NAACP president, Rev. J.A. De Laine asked the white

school superintendent of Clarendon County for a bus to take the Negro children to school. These children were 74 percent of the county's 8,906 students but their schools received only one-third of the education budget. The County spent \$149 for each white child and \$49 for each Negro child. This budget paid for 30 busses to take the white children to their schools, but *none* for the Negro children. The white folk justified this disparity by pointing out that *they* paid the taxes; why should their tax money support Negro education? Also a school principal and teacher, Rev. De Laine knew a lot of parents in the county; he persuaded Levi Pearson to put his name on a petition drawn up by Harold L. Boulware, the attorney who had handled the teachers' salary cases for the state NAACP. When the petition was ignored, a complaint was filed in federal court on March 16, 1948. As soon as word got out that Pearson was the plaintiff, the whites in the country would no longer loan him money to plant crops or haul his timber. Even after the case was dismissed on a technicality, white farmers would not rent him equipment to harvest what he could plant. His small attempt to get a school bus for Negro children damaged him economically. (Kluger, 1975, 8, 13-18; Lau, 2006, 197-99; Gona, 2011, 24-44)

Meeting with NAACP officials in March of 1949, the parents decided to escalate their demands. The lawyers told De Laine to find 20 parents willing to sign another petition; he found 107 people in 24 school district families. The 5-page petition sent to the county Board of Education on November 11 said that the Negro schools were "inadequate and unhealthy" and demanded equalization with the white schools in all respects. When that petition became public knowledge a lot of the signers lost their jobs, were refused supplies, were kicked off their rented land and had their credit cut off. One was beaten to death by a white man. The case was filed in US District Court on May 17, 1950. In a pre-trial hearing Judge Waring prodded NAACP attorney Thurgood Marshall to drop the equalization case in favor of a direct attack on segregated schools. Marshall wanted to do that, but he also knew that he would be giving up an easy win before Judge Waring, resulting in a court order for the county to spend a lot more money on the Negro schools, in order to make a constitutional challenge before a three-judge court in which Waring would probably write a dissent. He deferred to the judge and revised the pleadings. (Clyburn, 2004, 32-33, 37-8, petition on 51-55; Kluger, 1975, 18, 301-305; Lau, 2006, 200-05; Gona, 2011, 44-136; Williams, 1998, 198-200)

When the trial of *Briggs v. Elliott* began on May 28, 1951 in the Charleston federal courthouse, the room and the halls were packed with Clarendon County Negroes. The lead plaintiff, Harry Briggs, had already been fired from his job at a gas station. The lead defendant, school superintendent R. M. Elliott, still believed that white tax money should only go to white schools. In addition to Waring, the tribunal consisted of District Judge George B. Timmerman, Sr. and John L. Parker, the chief judge of the 4<sup>th</sup> Circuit. Judge Timmerman was as committed to white supremacy and segregation as Judge Waring was committed to their destruction. Judge Parker's views, as reflected in his opinions, fell midway between the two. Judge Parker had been appointed by President Coolidge in 1925; Judge Timmerman by Roosevelt in 1941. Parker was nominated by Hoover for the Supreme Court in 1930 but was not confirmed after heavy lobbying by the NAACP, which thought the Republican unlikely to aid its cause. He served until he died in 1958. (Gona, 2011, 143-45; Kluger, 1975, 141-44, 302-3)

Defense counsel began by admitting that the white and Negro schools were not equal. He

said that the legislature had recently passed a sales tax to raise money to improve the schools and asked that the case be deferred so that the state could demonstrate good faith in equalization. Judge Parker denied this diversionary tactic and allowed Marshall to “show the inequalities as they actually exist.” In the decision issued on June 23, 1951, Parker relied on *Plessy* to maintain that separation of the races in the public schools was a matter of legislative policy “far outside [the] constitutional function” of the courts. But he did order “that the school facilities afforded Negroes within the district be equalized promptly with those afforded white persons....” and kept jurisdiction of the case to see that the State did just that. Timmerman concurred without opinion, and Waring wrote the expected dissent. In what would be his last important opinion he wrote that “segregation in education can never produce equality and ... is an evil that must be eradicated...[It] must go and must go now. *Segregation is per se inequality.*” (Gona. 2011, 145-51; Williams, 1998, 202-03; Kluger, 1975, 346-66 , first quote on 348; other quotes in *Briggs v. Elliott*, 1951)

A three-judge decision on the constitutionality of a state statute is entitled to quick review by the Supreme Court, but the Court didn't want to hear *Briggs* too soon. It wanted to bundle it with similar cases from other states still working their way up the judicial ladder. The Court heard five cases challenging school segregation on December 9, 1952. The lead case was *Brown v. Board of Education of Topeka, Kansas*. The others came from Virginia, Delaware and the District of Columbia. All but the lead case came from states in which segregated schools were required by state law (or Congress, in the case of D.C.) They were among the 17 states (plus D.C.) where slavery was legal right before the War. Kansas, where the fight over slavery was a major precipitant to the War, was one of four states whose law permitted but did not require segregated schools. Topeka segregated its primary schools, but not its high schools. Unlike South Carolina, the separate schools were equal in the things that could be counted, though not, according to testimony, in the more subtle things that shaped students feelings about themselves and their potential. The three-judge court found that while these were important, they weren't enough to overrule *Plessy*. The Supreme court wasn't so sure. Recognizing the complexity of the issues raised and that the consequences of overruling *Plessy* would not be minor, it stalled. In June the Court asked all the lawyers to prepare new briefs and return for reargument in the fall. On September 8 Chief Justice Fred Vinson died suddenly. Thus, former California Governor Earl Warren, a lawyer who had never sat on a bench, was in the Chief Justice's chair when the Court heard the school segregation cases once more on December 8, 1953. Its unanimous decision on May 17, 1954, paraphrased Judge Waring, saying that “separate educational facilities are inherently unequal.” (Kluger, 1975, 367-424, 538-40; *Brown v. Board of Education*, 1954)

By the time *Briggs* was returned to South Carolina to implement this decision Judge Waring had retired to New York City. At 71 he was tired of the continual harassment he had to endure in Charleston for his civil rights views. Once safely in New York, Waring became even more militant; he thought the leaders and lawyers of the NAACP were wimps. He continued to speak out against segregation until he died on January 11, 1968 at age 87. Harry Briggs, Rev. De Laine, and pretty much everyone else publicly associated with the Clarendon County challenge to segregated schools also left the county, and often the state. Threats and open harassment in addition to economic reprisals made it too difficult to stay. The children of South Carolina, black and white, were beneficiaries of this litigation, as the representatives of white taxpayers tried to



buy their way out of desegregation. The state spent many millions of dollars to put Negro students into new school buildings and hire more teachers in hopes that “equalization” would stave off desegregation. By 1955 there were 2,500 new classrooms and hundreds of new school buses. Some money went to white schools; none went to integrated schools. South Carolina didn’t attempt to integrate any schools until 1963 and then only a little bit. In 1964 eighteen school systems had a total of 272 Negro children in formerly white public schools, heavily concentrated in school districts with Negro colleges. The Clarendon County schools received a lot of state “equalization” funds, but didn’t hold their first integrated classes until 1965 – fifteen years after the lawsuit was filed. Its schools never got more than token desegregation. (Yarbrough, 1987, 210-11, 216-19; Gona, 2011, 161-196; Lau, 2006, 208; Newby, 1973, 308; Richard, 2004; Quint, 1958, 93; SC NAACP *Annual Report*, 1964, 4)

In 1955, the South Carolina District Court issued a new opinion in light of *Brown*. Judges Timmerman and Parker were still on the panel, but Waring had been replaced by 4<sup>th</sup> Circuit judge A. M. Dobie of Virginia, who had presided over the Virginia case that was one of the *Brown* five. (*Davis v. Prince Edward County School Board*, 1952) In a *per curiam* decision this court interpreted the Supreme Court’s decision as meaning that the state had no legal obligation to “mix persons of different races in the schools” but only to cease using race to determine which school a child attended. “It does not forbid such segregation as occurs as the result of voluntary action. It merely forbids the use of governmental power to enforce segregation.” Conservative Southern judges would apply this interpretation for over a decade. (Quotes in *Briggs v. Elliott*, 1955)

The legal cases handled by the NAACP in South Carolina stimulated much local organizing. The number of branches went from 15 in 1943 to 49 in 1946 to 84 in 1955. Membership spread from the urban and educated to the rural and powerless, though not all of these were dues-paying members. With the help of NAACP lawyers, 57 parents in two Orangeburg County school districts petitioned their school boards in July of 1955 to “reorganize the public schools on a non-discriminatory basis.” (Lau, 2006, 215; quote in Muse, 1964, 82)

Then the backlash set in. On January 21, 1955, George B. Timmerman, Jr., the judge’s son, became Governor. His views on race and segregation were like his father’s and made those of his predecessor, James F. Byrnes, look almost liberal. Under his leadership, white South Carolina went after all those who had challenged segregation. Those who urged acceptance of what was now the law of the land were seen as a greater threat than those who urged open defiance. Chester C. Travelstead, Dean of the School of Education at the University of South Carolina (USC) wrote a long letter to Gov. Timmerman in response to a speech he had made urging defiance of *Brown*. He subsequently made a public statement to USC students opposing segregation. Two weeks later the President of USC notified him that he was dismissed. At a hearing before the University Board of Trustees Travelstead was told that university employees should not openly discuss controversial issues. (Quint, 1958, 175-76) All of the state newspapers supported his dismissal except the Florence *Morning News*, whose editor wrote that if USC “rejects a valuable educator because he has one unpopular idea, then our university is not a place for hungry minds.” Editor Jack O’Dowd continued to write editorials urging compliance with the law for a few more months. He and other staff members received threatening phone calls and physical assaults. Readers complained and newspaper circulation dropped. In March, O’Dowd

announced his “retreat from reason.” and wrote no more. Defeat was not enough for his accusers. They told him to move North, and in August he did just that. Promoting the cause of compliance lasted less than a year. (Quotes in *MN* 11-26-55, 4 and 3-11-56, 4-A in Quint, 1958, 178-80)

Encouraged by these statements, the KKK revived in the fall of 1955 and spread throughout the state. White Citizens’ Councils quickly formed in the two Orangeburg school districts and spread throughout the county. A WCC meeting held on August 29, 1955 attracted a crowd of three thousand. WCC members applied economic pressure against the Orangeburg parents and NAACP members. Petition signers and their family members were fired from jobs, kicked out of rentals, denied access to farms where they worked and refused credit. White distributors refused to supply businesses owned by NAACP members. The NAACP responded by organizing drives to raise money, clothing and food. Some businesses could get goods from big cities further away. It was harder to restore credit and jobs so the national NAACP created a \$50,000 fund to provide small loans. Negroes were 63 percent of the Orangeburg County population; the women organized a boycott of white merchants who were WCC members. Boycott support was particularly strong from the county’s two Negro colleges and one Catholic school. As both boycotts continued, the WCC circulated lists of Negro businesses to be refused credit and supplies, and the NAACP circulated lists of businesses owned by WCC members which should not be patronized. The economic war lasted about a year and a half, slowly fading away in 1957, leaving many casualties in its wake on both sides of the color line. (*HUAC Report*, 1967, 56; Moore and Burton, 2008, 9; Yarbrough, 1987, 231-33; Newby, 1973, 308; White, 2008, 265-9; Quint, 1958, 52; Muse 1964, 83-4; *BAA* 8-20-55, 18; 8-27-55, 18; 9-10-55, 21; 9-24-55, 5, 18; 10-1-55, 18; 10-22-55, 3; 12-24-55, 5, 19)

From Orangeburg the WCC metastasized throughout the state at the rate of one new council a week. By the time a statewide organization formed in December of 1955, there were at least 25,000 people who had paid the \$5 dues to become WCC members. While the WCC mostly used social and economic pressure as weapons, it very quickly became political. For the 1956 elections it distributed questionnaires to all state and local candidates. Among the questions were “Do you here and now promise not to seek the Negro vote directly or indirectly?” White reaction varied. Most politicians supported the WCC, though some did so cautiously. The *Charleston News and Courier*, edited by Judge Waring’s nephew, became “a sort of unofficial organ for the Councils.” The Methodist Church condemned them, as did the AFL-CIO. (Quint, 1958, 51, quote on 50)

When Virginia Senator Harry Byrd called for “massive resistance” to *Brown* in February of 1956 South Carolina quickly joined in. Now a Senator, Strom Thurmond drafted a Southern Manifesto to oppose all integration. Both of SC’s Senators and all six of its Representatives were among the 101 Members of Congress who signed it. The SC legislature passed a plethora of anti-integration laws and resolutions, usually unanimously, including several measures aimed at eradicating the NAACP. In February it asked the US Attorney General to classify the NAACP as a subversive organization. On March 16, 1956, the legislature created a committee to investigate the NAACP at SCSC in Orangeburg to “determine what individuals at the college are members of and sympathizers with the NAACP... the extent of participation... and whether or not [they] are serving to mislead the Negro citizens and foment and nurture ill feeling and misunderstanding

between the White and Negro races....” The SCSC faculty passed a resolution in protest and the students went on strike. They also joined the NAACP by the hundreds and demanded that the cafeteria stop serving food supplied by WCC merchants. The strike lasted six days; student body president Fred Moore was expelled six weeks short of graduation along with 19 other students; five faculty were fired while even more resigned; the cafeteria boycott continued. (Quint 1958, 53-54, 104-5, 110-11; *CD* 10-1-55, 3; quote in 1 *RRLR* 600, *ADW* 4-5-56, 3; *BAA* 4-28-56, 19; 9-29-56, 5; *WP* 5-3-56, 42; White, 2008, 279)

On March 17, the legislature prohibited the employment of an NAACP member by the state or any school district or political subdivision. The state withdrew accreditation of the teacher training programs at two black colleges whose graduates filled the ranks of Negro public schools. Teachers were among the strongest NAACP supporters in the state. They were told to fill out forms asking if they supported the NAACP and how they felt about integration. Those who failed to answer all the questions were not reappointed. (Act No. 741, 1956 at 1 *RRLR* 751; application form at 2 *RRLR* 389; some questions at Quint, 1958, 110-11) A year earlier the Negro teachers organization, the Palmetto Education Association, had passed a resolution supporting desegregation of the public schools. It reaffirmed this support right before the new law was passed in 1956. (*BAA* 3-26-55, 18; 3-3-56, 15)

The constitutionality of the statute was challenged by seventeen Orangeburg teachers who lost their jobs when they declined to answer all of the questions on the new application form. The three judge court split three ways but this time it was Judge Parker whose opinion favored the Negro plaintiffs. Unfortunately, he did not prevail. Judge Timmerman wrote that there was no issue to decide as the teachers hadn't been fired, but simply hadn't been chosen to teach another year after they failed to fill out the entire application, which was the state's prerogative. He added that "The statute is designed to protect young minds from the poisonous effects of NAACP propaganda." Judge Ashton Williams, appointed by Truman after Waring retired, was known to favor segregation. He had been one of the few South Carolina Democrats to support Truman in the 1948 election. He said the lawsuit was not timely because it was up to the highest state court to interpret its own law. Only Judge Parker stated that the statute was so clearly unconstitutional that the federal court didn't need to wait for the state court to interpret it. The case was stayed pending the exhaustion of state remedies and an appeal to the US Supreme Court. The day after the NAACP filed its appeal the law was replaced with one that required everyone holding or desiring any government or school job to fill out an application every year which asked about all "active or honorary membership in or affiliation with all membership associations and organizations." Asking about *all* memberships was not unconstitutional so did not provoke a legal challenge. Local school boards simply did not require those who admitted membership in the NAACP. (*BAA*, 9-22-56, 3; 5-4-57, 4, 20; 4-25-59, 9; *ADW* 4-25-57, 1; *Bryan v. Austin*, 1957, quote at 394; Peltason, 1961, 73-74; Goldman, 1997, 87; Act No. 223, 1957 at 2 *RRLR*, last quote at 852)

In the racial cold war that consumed South Carolina after *Brown*, whites won the first round. In 1956 the white Citizens' Councils boasted 56 councils with 40,000 members. The KKK grew to roughly 10,000 members. By 1957 the number of NAACP branches in the state was down to 31 and membership had dropped from 8,266 to 2,202. Teachers had to choose between

their jobs and their NAACP membership. Many of the parents who had signed the desegregation petitions succumbed to economic pressure and removed their names. Faced with economic devastation, many activists left the state with or without their families. The NAACP was denounced by whites at every level of authority. They said it was a Communist front, a Jewish conspiracy, the black equivalent to the KKK, the enemy of the Negro people, and subversive of Southern traditions. (NAACP numbers in Lau, 2006, 210-11; KKK estimate in Grose, 2006, 110; WCC numbers in White, 2008, 262, 269)

There was also a lot of rampant violence. The homes of NAACP leaders were fired on and burned. After nine bullets were fired into his home, state president James M. Hinton resigned after 18 years at the helm, leaving the state NAACP conference in disarray. South Carolina required that every voter re-register every ten years to weed out the dead and departed. The law specified that anyone who didn't re-register by May 1, 1958 couldn't vote in the 1958 elections. In the atmosphere of fear that pervaded the end of the 1950s and a weakened NAACP, this wiped out a decade of Negro registration. The legislature also abolished the state board of registration, which had kept voter registration statistics by race. This hid how bad was the decline. (Quint, 1958, 85-89; *Sun* 11-23-55, 3; *BAA* 1-28-56, 3; 3-17-56, 3; 4-27-57, 4; 5-11-57, 4; 10-4-58, 19; 10-19-57, 4; 4-25-59, 9; *NYAN* 10-5-63, 9; USCCR, 1961, I:103)

One of the teachers who lost her job because of her NAACP membership was Septima Poinsette Clark. Born in Charleston in 1898, she began teaching on nearby John's Island in 1916 after graduating from high school and passing a state exam. She got a job in Charleston as a result of the NAACP campaign to replace white teachers in the Negro schools. She later went to college in Columbia and continued teaching there while becoming active in the NAACP's salary equalization campaign. Returning to Charleston in 1947 she befriended the Warings, from whom most SC blacks kept their distance due to white disapproval. After losing her job and her retirement benefits in 1957, Clark went to work at the Highlander Folk School in Monteagle TN as director of its workshops. Founded in 1932 as a labor education school, Highlander had shifted to civil rights, bringing many people to its classes who would become civil rights leaders in the 1950s. One of the first things Clark did was ask Esau Jenkins to set up literacy classes on John's Island, funded by northern philanthropy but run by local people. Jenkins had been teaching passengers on his bus how to become registered voters, which required reading a section of the state constitution. Many were functionally illiterate. Jenkins bought a building with a grocery store in front and classrooms in the back. Clark asked her cousin Bernice Robinson to be the first teacher. After taking these classes, most students could pass the reading test required to register to vote. Classes were taught on more islands, and more graduates became registered voters. Focusing on the needs of adults, Clark and Robinson turned literacy training into a Citizenship Education Program (CEP) where the students also learned about government and human rights. In 1961, as the State of Tennessee was closing Highlander, SCLC took over the CEP, funded by a grant from the Marshall Field Foundation. Septima Clark continued to supervise its teacher training program while Rev. Andrew J. Young was brought from the National Council of Churches in New York to be SCLC's overall Director of Education. As the CEP spread throughout the South, more and more Negroes could pass the exams necessary to register to vote. It was "one of the most effective organizing tools of the movement." (McFadden, 1990; Charron, 2012, 251-2; Oldendorf, 1990; quote in Langston, 1990, 157; Morris, 1984, 149-157, 237)

As NAACP membership became a liability in South Carolina, CORE moved in. In 1957, the national office hired James McCain as its Southern organizer. McCain's work as the president of the Sumter Co. NAACP had cost him his job as a school principal. He focused on his home state, organizing nine CORE chapters in two years and teaching them CORE's principles of nonviolent direct action as the way to challenge segregation. Although CORE's program was different from that of the NAACP, the community activists were often the same; they simply switched organizations as the need arose. Many were among the 27,000 civil rights supporters who marched on Washington on May 17, 1957 in the Prayer Pilgrimage for Freedom where they heard Dr. King tell the nation to "Give Us the Ballot" in front of the Lincoln Memorial. (Meier & Rudwick, 1973, 77, 80-89; Morris, 1984, 131-4; Lau, 2006, 217-19; *BAA* 3-7-59, 6; *WP* 5-18-57, B1; *CD* 5-20-57, 2)

CORE staged its first action at the Greenville SC airport on January 1, 1960 to protest the segregated waiting rooms. It had stumbled onto this the previous October when baseball star Jackie Robinson checked in at the airport after speaking to an NAACP convention. When he and his guests sat down in the main waiting room to await the boarding call they were asked to remove themselves to the small "colored" waiting room instead. They refused to leave. Although threatened with arrest, nothing happened.<sup>1</sup> Impressed by the news coverage, Greenville CORE decided to stage a sit-in at the airport on January 1 to commemorate Emancipation Day. After a rally at a Baptist church, about 250 Negroes proceeded to the airport where most waited outside in the cold while 15 entered and took seats in the main waiting room normally reserved for whites. One read a resolution, they prayed, and left. Half of the whites in the waiting room were police and most of the rest were reporters. (Newby, 1973, 314-15; *NYT* 10-26-59, 34; 1-2-60, 4; *Sun* 10-26-59, 5; 2-2-60, 3; *CD* 11-3-59, 11; 12-2-59, 2; 12-3-59, 9; 12-5-59, 10; 1-5-60, 5; *NYAN* 11-28-59, 34; 1-9-60, 6)

One month later the student sit-in movement began in Greensboro, NC and quickly spread throughout the South (with sympathy sit-ins in the North). The CORE field staff moved in, going from town to town to teach the students the techniques of non-violence. McCain was in Rock Hill, SC, on February 12 when students at Friendship Jr. College tried to get food service at local café counters while others picketed outside. During the next few months students sat in and were arrested in every town in South Carolina where there was a Negro college, and some where there was none. They were usually charged with trespassing after the store manager asked them to leave. National CORE sent a telegram to Attorney General William Rogers protesting the use of trespassing laws to stop the sit-ins. The AG didn't do anything, but the courts did. Many convictions at city courts were overturned on appeal to higher courts when the arrests derived from a segregation law. Marches as well as sit-ins provoked arrests and generated publicity. On February 25, 40 students staged a silent march through Orangeburg. When a thousand students

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<sup>1</sup> Jackie Robinson wanted the NAACP Inc. Fund to file a lawsuit, but it had already filed one against the same airport for the same practices in January of 1959. Judge Timmerman dismissed the case. The 4<sup>th</sup> Circuit reversed and remanded. Under great protest, Timmerman issued an Order for a Preliminary Injunction on February 17, 1961. (*Henry v. Greenville Airport Commission*, 1959, 1961)

did it again two weeks later they were drenched with fire hoses and tear gas. The 388 arrestees were kept in an out-door stockade in 40 degree weather until the black community raised \$75,000 for bail; after trial they were fined \$50 each. When they marched again on May 5, none were arrested. Students also marched in Columbia, Rock Hill and Sumter, with fewer arrests. Of course all of this provoked the Klan, which burned crosses in six SC counties. All these marches and sit-ins kept the lawyers busy and the courts full. The NAACP estimated that during 1960 it had 75 lawyers handling at least 1,700 sit-in arrests throughout the South. (*ADW* 2-13-60, 1; 3-2-60, 1; *NYT* 2-13-60, 1; 2-15-60, 1; 3-1-60, 20; 3-2-60, 29; 3-3-60, 15; 3-16-60, 1; *NYAN* 3-5-60, 1; 1-14-61,7; *CD* 3-16-60, A1; 3-29-60, 3; 4-5-60, 4; 4-9-60, 12; 4-16-60, 12; 5-21-60, 12; *WP* 3-16-60, C12; *Sun* 3-3-60, 2; 3-12-60, 4; 3-16-60, 4; 3-17-60, 10; 3-20-60, 24; 5-6-60, 9; Clyburn, 2014, 66-70; Meier & Rudwick, 1973, 103-4)

It wasn't just students who were making demands. Three days after the 1960 Civil Rights Act became law on May 6, the Justice Dept. demanded the registration applications in four counties in different states in which *no* Negroes were registered to vote even though they were a majority of the county population. One of these was McCormick Co. SC where Negroes who could vote in the 1940s were purged in the 1950s. When the fall semester began, Negro parents in Charleston kept 8,513 children out of school for one day to protest overcrowding. The NAACP returned to organizing boycotts, as it had in the 1950s. (*Sun* 5-10-60, 1; 11-21-60, 9; *CD* 4-12-60, 4; 11-22-60, 3; *NYT* 7-22-60, 24; 10-12-60, 43; 10-13-60, 60; 10-14-60, 18)

SCLC saw great potential in the spread of the sit-in demonstrations but felt they needed direction. With SCLC support, Ella Baker brought 150 students involved in the sit-ins to her *alma mater*, Shaw University in Raleigh NC, in mid-April, 1960. They created the Student Non-Violent Co-ordinating Committee (SNCC) to co-ordinate the student protests that were spreading and escalating. At Baker's urging, the new organization chose to cut the umbilical cord with SCLC in order to make its own way. SCLC provided SNCC with office space until it could afford its own. SCLC had managed to avoid overt conflict with the NAACP and CORE by helping with their fundraising, but that didn't work with SNCC. For the next decade the two organizations seldom co-operated and were often at odds. Neither SNCC nor SCLC found a base in South Carolina. CORE had the lead in direct action and the NAACP in voter registration. Indeed, the sit-in movement revived the NAACP in South Carolina, even though that movement was initiated by CORE. Under the leadership of I. DeQuincey (Deke) Newman and his wife Anne, the NAACP adopted CORE tactics and blended them with their own. As the sit-ins made headlines, SC NAACP chapters increased in numbers and membership. Blacks and whites alike saw the NAACP as a reasonable alternative to CORE's militancy. (Morris, 1984, Chapter 6)

On the anniversary of the first sit-in, stores in Rock Hill, SC still refused to serve Negroes seated at their lunch counters. CORE field secretary Tom Gaither had run picket lines for weeks but the stores would not budge. On January 31, he led nine students from Friendship Jr. College inside one store where they took seats at the lunch counter. All were arrested. One paid his \$100 fine, but the others decided it was better to cost the state money for their upkeep than pay it for their freedom. They began the "jail, no bail" strategy. Assigned to prison gangs for their 30 day sentences, they refused to work and were put on bread and water rations. As news got out, they were joined by four students from other states who had been at the SNCC organizing conference.

The picket lines grew and the rallies attracted as many as 600, including busloads of students from other states. They also attracted counter-protestors, specifically about 2,500 whites who came to disrupt the pickets, marches and demonstrations. The cops had their hands full protecting the Negroes, but no whites were arrested. (*NYT* 2-1-61, 39; 2-7-61, 36; *CD* 2-14-61, 3; 2-18-62, 2; *BAA* 3-11-61, 2; Meier & Rudwick, 1973, 118-19)

This was the first of many protests in South Carolina in 1961. The NAACP Youth Councils conducted read-ins in Florence, skate-ins in Greenville, and kneel-ins in Orangeburg. Stores in Columbia were picketed all Spring, with a few arrests. On March 2, 192 were arrested when several hundred Negro and one white student marched on the statehouse in Columbia. In May the protests were supplanted by the freedom rides. Conducted by CORE, four different groups of freedom riders passed through South Carolina with a few minor incidents, only to be beaten by mobs when they reached Alabama. In June, SC NAACP members tested bus terminal facilities in several towns on their way to a Columbia meeting where “they encountered nearly universal, if often grudging, compliance...” (SC NAACP annual report, 1961, 12-13; *Sun* 5-6-60, 9; 3-3-61,6; *NYT* 5-6-60, 6; 6-15-61, 38; *WP* 5-6-60, A15; 3-3-61, A5; *CD* 2-23-62, 2; 3-4-61, 3; 3-15-61, 7; 3-28-61, 2; 6-14-61, 3; Arsenault, 2008, quote on 218)

To handle all the trials, the SC NAACP formed a Legal Committee chaired by Matthew Perry. Local lawyers worked with NAACP Inc. Fund attorneys, especially on those cases that went to the US Supreme Court. The convictions for the March 2 arrests in Columbia worked their way up the South Carolina state court system until heard by the US Supreme Court on December 13, 1962. The students had walked to the statehouse quietly, in small groups, carrying signs. Law enforcement told them they had a right to do that as long as they were peaceful. When a couple hundred onlookers gathered outside, the police became nervous. Even though nothing happened, the cops told the students to disperse. Instead they started singing patriotic and religious songs very loudly, prompting the police to march them to jail and charge them with breach of the peace. After conviction in a lower court, they received sentences ranging from a \$10 fine or five days in jail to a \$100 fine or 30 days in jail. The South Carolina Supreme Court upheld these convictions, but the US Supreme Court reversed on February 25, 1963. With one dissent, the Court said the students had acted well within their First Amendment rights. “The Fourteenth Amendment does not permit a State to make criminal the peaceful expression of unpopular views.” *Edwards v. South Carolina* became the precedent for similar cases all over the South. (*Sun* 2-26-63, 9; quote in *Edwards v. South Carolina*, 1963)

In 1962 voter registration became a primary activity of both the NAACP and CORE. It had always been the top priority for the NAACP. CORE favored direct action, but eagerly accepted grants from the SRC’s Voter Education Project for work in Louisiana, Florida, Mississippi and South Carolina. When local registrars conducted a “slow down” in registration, CORE sponsored a “stand-in” thus bringing direct action techniques to the more mundane task of registering voters. Supported by VEP funds, CORE expanded its voter registration work in South Carolina to 19 counties, while the NAACP used its VEP funds to support voter registration drives in five of the larger cities. By the time the VEP money ran out in 1964, 16,000 Negroes had been registered to vote. Direct action did not cease. After 28 weeks of picketing, stores in Charleston hired 61 Negroes for jobs where they had not been previously employed. (Meier &

Rudwick, 1973, 175-76, 259-60; SC NAACP *Annual Reports*, 1962 and 1963)

SCLC's "place" in South Carolina was maintained largely through its CEP classes. Between 1962 and 1964 the number of citizenship schools in South Carolina doubled to 80. These schools taught local Negroes how to read the state constitution so that they could pass the literacy test, which made it possible for the NAACP and CORE to get them registered. (Clark, 1964)

As the 1960s began there was a shift in the white power structure of South Carolina. Governor Timmerman's term ended in 1959. His successor, Fritz Hollings, did not want to follow the path of Alabama Governors Patterson and Wallace, or Mississippi Governors Coleman and Barnett, all of whom had made a name for themselves through public defiance of the federal government. He wanted a climate that was good for business and economic growth, which meant keeping social conflict and bad publicity to a minimum. The Little Rock crisis of 1957 was exactly what South Carolina business did not want. Consequently, law enforcement infiltrated the Klan in order to contain it rather than encourage it. When Negro students demonstrated, they were policed, and sometimes arrested, by Negro cops brought in from wherever they worked. As the civil rights movement captured public attention and supportive sentiment in the North, the white elite knew that desegregation was coming, the only questions were how much and when. Their strategy was to stall as long as possible but when all legal processes came to an end, to give in as gracefully (and as little) as possible. (Sproat, 1986, 170-71; Badger, 2008, 12; *NYT* 10-26-63, 13)

In August of 1962, while CORE members were being arrested at lunch counters in NC the SC NAACP was asking the heads of the national chains to open their counters to all. This was successful in some places. Columbia Mayor Lester Bates negotiated the desegregation of 16 store lunch counters without any picketing or publicity. When white students at USC found out, some put up their own picket lines to "end the menace of race mixing." The following year lunch counters in Rock Hill, Anderson, Greenville, and Spartanburg were quietly desegregated. In the fall of 1963 eleven Negro children entered four formerly all-white schools in Charleston. All over South Carolina mayors agreed to the formation of biracial committees. Backed by federal court orders and the threat of protests, desegregation crept in. (*NYAN* 8-11-62, 19; *BAA* 8-18-62, 18; quote in 9-15-62, 3; Grose, 2006, 111; SC NAACP *Annual Reports*, 1962 and 1963; *WP* 8-31-63, A2; *NYT* 8-31-63, 6; *CD* 6-13-63, 11; 8-24-63, 9; Lofton, 1982, 77-79)

The South Carolina strategy of quiet resistance and quieter accommodation developed during the two year trek of Harvey Gantt to be the first Negro student at Clemson University in Charleston. When Gantt sent in his first application on Dec. 24, 1960 he was not the first Negro to apply – several WWII veterans had done so in the 1940s and a couple more in the 1950s – but he was the first to sue. Anticipating that this might happen, the state legislature passed a law in 1956 closing any state college if any court ordered admission of any pupil, and simultaneously closing SCSC. Gantt had set his heart on studying architecture at Clemson while still a Charleston high school student and said as much to Matthew Perry, the attorney representing him and other students arrested in the spring of 1960. But he went to Iowa State with money provided by South Carolina to send Negroes out of state for programs not provided by SC Negro colleges. He applied again on February 7, 1961 as one of two Negro students seeking to transfer from



out-of-state schools, and, on the advice of attorney Perry, a third time in December. (Suggs, 2003,17-18; S.C. Act No. 813 §3)

Persistence was rewarded with delay, so Perry and the NAACP Inc. Fund filed a class action lawsuit in federal court with Gantt as the plaintiff on July 7, 1962. The hearing for a preliminary injunction was held on August 22, the same day that Columbia lunch counters were being quietly desegregated, but with the opposite result. District Judge Charles C. Wyche, a 1937 FDR appointee whose mind as well as birth was in the 19<sup>th</sup> Century, denied this request. After the case bounced a couple times between this court and the Fourth Circuit, on January 16, 1963 three appellate judges ordered that Gantt be admitted to Clemson as soon as possible. Anticipating this, the white elite made extensive preparations in order not to replicate the riots that had accompanied the admission of James Meredith to Ole Miss in the fall of 1962. In his farewell address to the SC legislature, Gov. Hollings said “we are running out of courts” and called for acceptance of the “fact of the land... with dignity... law and order.” When Gantt arrived at Clemson on January 28, 1963, two weeks after he turned 20, he did not see the mobs that greeted the first Negroes to enter the Universities of Alabama, Georgia and Mississippi. About 40 state troopers were on campus just in case but they were mostly used to keep the press at bay. Nothing happened. (Suggs, 2003, 21-4, 36-7; 1 *RRLR* 731; *Gantt v. Clemson* 1962; SC NAACP *Annual Report*, 1963; *CD* 1-15-63, 13A; 1-17-63, 1; 1-28-63, 4; 1-29-63, 1; *ADW* 1-17-63, 1; 1-29-63, 1; *NYT* 1-17-63, 1; 1-29-63, 4; *WP* 1-17-63, 2; 1-29-63, A4; *Sun* 1-17-63, 4; 1-29-63, 1; quotes in *WP* 1-10-63, B10; *CD* 1-12-65, 7; Cox, 2008; Grose, 2006, 112-14)

There was even less for the crowd of reporters to cover on Sept 11, 1963 when three Negroes became the first of their race in 86 years to register for classes at the University of South Carolina. Henri Monteith (Modjeska Simkins’ niece) had applied over a year earlier while still a senior in a Columbia high school. When her application was rejected because of her race Matthew Perry took her application to federal court as a class action. As had Gantt, she went to school out-of-state for a year and resubmitted her application only to be told by school authorities that it was incomplete. Unlike Judge Wyche, Judge Robert Martin dismissed this explanation as a contrived excuse. On July 10 he ordered her admission for the fall semester. (*Monteith v. U.S.C.*, 1963; SC NAACP *Annual Report*, 1963; *CD* 7-20-63, 6; *NYT* 7-19-63, 8; 9-12-63, 30; *WP* 9-12-63; A7)

The contrasting decisions of Judges Wyche and Martin reflected a change in the federal judiciary to one more willing to follow the Supreme Court. Robert Martin was appointed by President Kennedy to one of the new seats Congress created in 1961. In 1962 Judge Williams died and Judge Timmerman took senior status. They weren’t replaced until 1964, when Robert Hemphill was confirmed for Judge Timmerman’s seat and Charles E. Simons Jr. for that of Judge Williams. Although Judge Wyche would remain on the bench until he died in September of 1966, it was the three younger judges who decided the segregation cases that were chugging their way through the federal courts. While none were as committed to desegregation as Judge Waring, they were all willing to follow the mandate of the Supreme Court rather than resist it.

Things stayed quiet until national publicity about the Birmingham demonstrations in the Spring of 1963 inspired more militancy. At a June 5 meeting of SC NAACP branches, a list of nine demands was drawn up as the basis for negotiations in the ten largest cities. These included

desegregation of stores and city facilities, an end to discrimination in hiring and the addition of Negroes to city and county boards. In Charleston, Orangeburg and Sumter, "where no indications were given toward a show of good faith of the power structure," demonstrations ensued. The Charleston marches began on June 9 and continued for weeks, accompanied by sit-ins, kneel-ins, traffic tie-ups and other forms of protest. White officials responded with tactics aimed at minimizing bad publicity. When Negroes tried to use the public playgrounds and swimming pools, they were closed by the Mayor. The Governor sent in troops and the local court issued a restraining order. After five weeks of marching and over 700 arrests, the marches subsided when bail was set at \$10,000 for each arrest rather than the usual \$100. Bail for the NAACP leaders was \$15,000 each. The money and property tied up in bail bonds rose to over \$1 million. Negotiations led to achievement of some of the original demands. Mass demonstrations declined and voter registration soared. (*CD* 6-13-63, 11; 10-10-63, A10; 8-31-63, 19; *ADW* 6-23-63, 4; 7-24-63, 2; *NYT* 7-18-63, 10; 7-22-63, 16; *Sun* 7-18-63, 6; 7-19-63, 5; quote in *SC NAACP Annual Report*, 1963, 17)

The action shifted to Orangeburg, where demands were presented to the City Council on August 20. The Council put the problem in the hands of the Mayor, who did nothing. A selective buying campaign was launched, supported by picketing of merchants who didn't agree to desegregate. The students at Claflin College and SCSC wanted to march, and they did, beginning on September 29, over the stringent objections of the authorities. Within a week 1,448 were arrested, as were another 500 by the end of 1963. As the US Supreme Court reversed the convictions for the 1961 demonstrations, South Carolina authorities threatened to close SCSC unless the 1963 demonstrations stopped. (*SC NAACP Annual Reports*, 1963, 1964; *CD* 10-1-65, A3; 10-3-63, A3; 10-10-63, A10; *NYT* 10-8-63, 37; 10-20-63, 84; 10-24-63, 25; *ADW* 10-31-63 5)

After the 1964 Civil Rights Act became law on July 2 the NAACP turned to testing. In the next five days Negroes sought service in hotels, restaurants and places of entertainment. Of 121 places tested, 100 were in compliance. By the end of July, NAACP testers had found 319 businesses across the state to be in compliance. There were a few instances in which local white teenagers gathered to harass the testers, and some lawsuits were filed against businesses that still refused equal service, but the white and colored signs began to come down. School desegregation was proceeding slowly, but peacefully. In the fall of 1964, 272 Negroes attended previously all white schools in 18 public school systems. In the public colleges, 30 Negroes attended six schools that had previously been closed to them. To South Carolina whites any desegregation was a bitter pill, but compared to the other four Deep South states, South Carolina swallowed token integration peacefully if not pleasantly. (*SC NAACP Annual Report*, 1964, 12-16; *Thomas v. Orangeburg Theatres, Inc.* 1965; *Newman v. Piggie Park*, 1966, 1967)

## SCOPE in South Carolina

We would sit on a screen porch and practice the literacy test with a prospective voter, who might be trying to read through an old and inadequate pair of glasses. Fortunately, many Southerners for whom close reading is an occasional rather than a constant practice excel at oral recall.  
Kathleen Courts, SCOPE volunteer in Camden, SC.

In 1965 the South Carolina political elite was churning. When the year began, Donald S. Russell, a protégé of James F. Byrnes, had been Governor for two years. Senator Olin Johnson died in April and Russell resigned so that he could be appointed to replace him in the US Senate by Robert McNair, who succeeded to the Governorship. In a June special election South Carolina elected its first Republican Member of Congress in the 20<sup>th</sup> Century. Albert Watson was the incumbent until he resigned and switched parties after being stripped of his seniority by the House Democratic Caucus for supporting Barry Goldwater in 1964. Sen. Strom Thurmond had also switched parties to support Goldwater but had not resigned. The Senate Republican Conference allowed him to keep the seniority he had garnered as a Democrat. At that time South Carolina had two judicial districts and four federal district judges. On October 7, Congress merged the two judicial districts into one statewide district, still with four judges. They included one Kennedy and two Johnson appointments, plus John Cecil Wyche. He alone continued to resist implementation of federal civil rights laws and Supreme Court decisions. The other three followed the law, some more reluctantly than others.

Multiple civil rights organizations were active in South Carolina when SCOPE arrived. The NAACP was thriving. Twelve new branches formed in 1965. In April, the state NAACP brought all civil rights groups to a conference on school desegregation. During the summer over 800 high school and college students worked in voter registration projects in 14 counties. The projects were financed by \$15,000 from the national NAACP matched by local donations. The South Carolina Voter Education Project (SC VEP), formed in 1962 to take advantage of VEP money, had continued operation when that financing ended. In 1965 it was a coalition of Negro civic organizations in 39 counties. CORE brought in 20 white volunteers to augment its staff for the summer. The Southern Teaching Program sent five grad students from Ivy League schools to teach summer school in Negro colleges in Charleston and Orangeburg. (Meier & Rudwick, 1973, 356; Moore, 1966; *Norwalk Hour* 8-11-66, 3; *NYT* 8-2-65, 15) The American Friends Service Committee (AFSC) ran tutoring projects in the state, particularly for the Negro youth who were going to integrate white schools in the fall. SCLC did not have much of a presence in South Carolina apart from the CEP literacy classes, but it had a lot of those. It relied primarily on CEP teachers and NAACP branches for the local contacts to which it sent SCOPE projects. Some NAACP chapters were quite glad to get extra help over the summer and were prepared to host the mostly white volunteers; some weren't. Sometimes SCOPE experienced conflicts with or among local NAACP leaders whose agendas weren't always compatible with Hosea's directions. Of South Carolina's 46 counties, 25 had at least one civil rights organization running a voter registration project in the summer of 1965; 8 had at least two organizations working in them. (*BAA* 6-19-65, 3; *SC NAACP Annual Report*, 1965, 1, 2, 4, 5; AFSC and Lucero KZSU

interviews, 1965; SC VEP estimate)

There were plenty of Negroes to be registered; no one was lacking in work. As of the Census of 1960, South Carolina had an NVAP of 371,104 and a WVAP of 395,147. Using that as the base, 37.3 percent of NVAP was registered to vote as of November 1, 1964 compared to 75.7 percent of the WVAP. That put it ahead of Alabama, Mississippi and Louisiana in registering Negro voters. The SC VEP estimated that 120,000 Negroes voted in the November general election. It claimed that they all voted for Johnson over Goldwater, which would have made Negroes 55 percent of LBJ's total vote in the state. Three-member county registration boards determined the eligibility of each citizen to vote. Applicants had to appear personally before at least two board members, who determined if they met the registration requirements and judged if they passed the literacy test. The law required Boards to be open only on the first Monday of the month in a non-election year, which applied to 1965. However, they could register voters on other days, if they chose. What they couldn't do was change the hours to something other than 9:00 to 5:00. (*BAA* 11-24-64, 17; *NYAN* 11-7-64, 3; House Judiciary Com., *Hearings* 1965, 201, citing *Charleston News and Courier* 11-1-64; S.C. Code of 1962 §§ 23-53 - 63 -65.1 -66; Stroudemire, 1968, 1; *Spartanburg Herald* 8-5-65, 36)

On May 26 Hosea met with Ben Mack, the state co-ordinator for SCLC, and four locals "to determine the future of SCOPE in South Carolina." They agreed that a state office would be set up in Columbia with full-time staff and that there would be SCOPE projects in ten counties. By the end of the June 5 County Co-ordinators meeting in Atlanta, Hosea planned to send volunteers to eleven counties in South Carolina. After orientation ended two weeks later roughly 70 volunteers were sent to seven counties, some of which were not among the original eleven. There was no state office, though one of the largest projects was in the state capitol. The chosen counties included South Carolina's three largest cities – Columbia, Charleston and Greenville – all of which had active NAACP projects. Although only Charleston was on the original list, Columbia and Greenville were added in order to register as many voters as possible. The city of Charleston turned out to have too many conflicts among the local leaders, so most of the SCOPERS sent there worked elsewhere. (SCOPE in S.C., SCLC IV 170:7p445; SCOPE project counties, SCLC IV 169:7p861)

Most of the 17 New Yorkers who went to Orangeburg attended Columbia University. The project attracted people who were already looking to go South but not sure how they would get there. Dean Savage, 25, had been an activist since his undergraduate days at Stanford University when he had participated in the May 1960 demonstrations against HUAC in San Francisco. (Freeman, 2004, 40) Edith Needelman, 25, was a secretary at the Cornell Medical School in NYC where she had become involved with the Medical Committee for Human Rights. It had provided care for the people who worked in Mississippi during Freedom Summer. She was looking for a program where she could travel with her friend Joyce Suhl, 25, who wanted to teach in a freedom school. Joyce's husband was a student at Columbia where he saw a notice about SCOPE on a campus bulletin board. Barbara Rothkrug, 19, was a Barnard student from Connecticut. Her mother had been the Danbury co-ordinator for the 1963 March on Washington and she had worked with the NAACP in high school. Mickey Shur, 21, had participated in the March on Washington and worked in a youth center in Harlem. He decided in the Spring to go

South and wrote various civil rights organizations to find the one he wanted to work in. He brought in his friends Peter Geffen, 19, and Zev Shanken, whom he knew from attending the Jewish Theological Seminary down the street from Columbia. Peter Geffen went to Queens College, where he had been a classmate of Andy Goodman, one of the three civil rights workers murdered in Mississippi at the start of Freedom Summer. He thought he should take Andy's place in the struggle. Zev Shanken was an NYU student who had already done some civil rights work. (Geffen e-mail of 11-24-14; Shanken e-mails of 11-23/24-14; Savage e-mail of 12-2-14; Needelman, Rothkrug and Shur KZSU interviews, 1965)

Orangeburg was a big county, spread over the middle of the state. Its NVAP was 17,355 when the 1960 Census was taken, compared to a WVAP of 16,381. Despite the presence of two Negro colleges with their well educated personnel, only 37.4 percent of the NVAP were registered to vote as of 1964, compared to 95.3 percent of the WVAP. This was still an improvement over the 11.6 percent of the NVAP who had been registered in 1958, compared to 65.6 percent of the WVAP. Orangeburg had 11,000 voting age Negroes waiting to be registered. Ten years after Negro parents petitioned the school board to enroll their children in white schools, 19 children were finally going to those schools. (USCCR, *Voting*, 1961, 348-9; House Judiciary Com. *Hearings* 1965, 197, 200, citing *Charleston News and Courier* 11-1-64; SC NAACP *Annual Report* 1964, 12)

SCOPE was greeted by Earl Coblyn, 39, a lawyer who had left Massachusetts for South Carolina in 1960 at the urging of his wife and ended up teaching in SCSC's law school while doing civil rights work on the side. The law school was expected to close soon because the University of South Carolina law school had admitted its first Negro student in 1964 and was admitting more in 1965. The SCSC law school did close in 1966 with three students left. Coblyn worked closely with SCOPE, in court and out of it. (Coblyn KZSU interview, 1965; Coblyn interview with author, 11-28-16; Burke and Gergel, 2003, 37-38; Venable, 2017, 114)

Coblyn had a house ready for SCOPE at 746 Amelia St. It became home for a couple weeks and headquarters for the summer. Seventeen young people in one house was uncomfortable, and the women didn't like having to do the cooking and cleaning in addition to project work. The house didn't have a shower, so they used the facilities at SCSC to bathe. Unlike many SCOPE projects they didn't start from scratch. In 1964 the AFSC had sent 18 students to Orangeburg who registered over a thousand Negroes and put their information onto file cards. The SCOPE team started where the AFSC group had left off. People were much more receptive to their presence because the AFSC team had left a good impression. On July 5 they brought 260 Negroes to be registered from the city wards they had canvassed. Another five or six came on their own from places that hadn't been canvassed. It was obvious to all that canvassing made a big difference. After a day off, three teams moved out into the county to reach those in the rurals. (Coblyn, Ryan, and AFSC KZSU interviews, 1965)

This summer the AFSC sent four people to Orangeburg to run a tutoring project, especially for the kids who were going to attend the white schools in the fall. It was headed by Al Ziegler from California, who, at 35 was much older than the rest of the summer volunteers. Initially the Columbia students wanted to devote much of their time to tutoring, but after they

began canvassing all but Patricia Ryan and Joyce Suhl diverted their energy to voter registration. There had been 19 Negro students in the white schools in the previous year, spread out in all the grades. There were 105 kids in the 1965 tutoring project, of whom at least 80 expected to enter those schools. (Ryan and AFSC KZSU interviews, 1965). Overall direction was given by Dr. Charles H. Thomas, Jr., a psychology professor at SCSC and consummate activist. He was President of the SC VEP, chair of the SC NAACP's Political Action Committee and the lead plaintiff in an NAACP Inc. Fund suit against the Orangeburg Theaters, which were still seating Negroes in the upper balcony three weeks after the 1964 Civil Rights Act made that illegal. (*Thomas v. Orangeburg Theaters, Inc.*, 1965)

The 23 students and recent graduates from four Boston schools who drove from Atlanta to Columbia arrived in the middle of the night. Several locals were waiting for them. Leaving on June 19, they went through Orangeburg but did not stop to sleep. Well before dawn on Sunday their hosts took the Brandeis group to different homes where they slept the rest of the night. (Venable, 2017, 31-4) In the middle of the state, Columbia was the state capitol as well as the county seat of Richland County. The 1960 census reported a county population of 200,102, of which 32.6 percent were non-white. The WVAP was 79,050, of which 74.3 percent were registered to vote in 1964. Only 26.8 percent of the 32,670 NVAP (8,750 people) were registered in 1964. The City of Columbia had a 1960 population of 97,433, of which 30.4 percent were non-white. In the 1964-65 school year, 24 Negro youngsters had integrated the white school system. (House Judiciary Com., *Hearings* 1965, 200, citing *Charleston News and Courier* 11-1-64; SC NAACP *Annual Report* 1964, 12)

On Sunday they were formally greeted at the Second Nazareth Baptist Church by Modjeska Simkins, 64, and local leaders of SCLC, the NAACP, CORE, the VEP, and several civic and ministerial organizations. The NAACP and CORE also had volunteers working in Richland County that summer. The VEP had a lot of useful information, including cards from its 1962-64 canvassing, which told SCOPE which neighborhoods had been well-worked and which needed more canvassing. Enthusiasm was high. SCOPE held its first mass meeting in Zion Baptist Church the next Thursday, registered 244 Negroes the first registration day, and 159 the second. Of course they ran into the usual problems of people promising to register but not showing up. In one ward SCOPE made 80 appointments to pick people up but only 25 were waiting when the car came. Like most SCOPE workers in every county they were shocked by the poverty in which some Negroes lived, and also by the indifference of both blacks and whites toward that poverty. They soon expanded from merely canvassing to starting two literacy projects and a day care center. There was no guarantee these would survive their departure at the end of the summer. (SC VEP flyer; Dickerson KZSU interview, 1965; SCOPE Group 41 KZSU interview, 7-30-65)

The Brandeis students had brought three cars with them which made it possible to work in the rurals without complete dependance on locals for transportation. However, those Massachusetts license plates did make them targets for the cops. It wasn't long before every law enforcement officer in the county knew who they were. One car was totaled within a week; another other one was driven so much over such rough roads that it died on August 2, a registration day. A lot of the money they had raised went to repair, buy and rent more cars. They

sometimes had trouble buying gas after the white station owners learned who they were. (Venable, 2017, 60, 64, 90, 98, 120) Throughout the summer, project director Elias Dickerman maintained a close connection with the Brandeis administration – more so than any other SCOPE chapter. Dean Zion, the Brandeis Chaplain and three faculty members visited at different times during the summer, sometimes bringing money and supplies. (Dickerman KZSU interview, 1965; Venable, 2017, 96)

Local leaders in nearby counties recruited workers from Richland's abundance. At the end of June, Lynn Goldsmith, 19, John Babin, 20, Terry Parsons, 23, Carol Sable, 20, and Mary Anne Efroymsen, 22, moved to Calhoun County where they lived in a large house at 220 Calhoun Rd. It was also the SCOPE office. Alan Venable, 20, joined them in mid-July. Situated between Richland and Orangeburg Counties, Calhoun had a 1960 population of 12,256, of which 66.9 percent were non-white. Its county seat, St. Matthews, only had 2,433 people in 1960, of whom 57.5 percent were non-white. There were no Negro children in erstwhile white schools, but there was a Negro branch of the public library, which most counties did not have. Not surprisingly it had half the books of the white branch and was open one-third of the hours. The decennial purge in 1958 left only 26 Negro voters in the county but the hard work of farmer Hope Williams, Jr. brought that to 487 by the end of 1964. That was still only 14.7 percent of the NVAP, so there was plenty to do. As 92.1 percent of WVAP was registered, the registrars weren't looking to work very hard. Open on July 12, they took an hour to register just five of the 30 people standing in line. Before the day was over 188 were registered and about 60 people were left unregistered. (USCCR *Voting* 1961, 36, 176; House Judiciary Com., *Hearings* 1965, 196, citing *Charleston News and Courier*, 11-1-64; Goldsmith diary; Calhoun Co. SCOPE Group 41 KZSU interview, 1965)

Momentum continued in August, when another 144 were registered. At age 55, Hope Williams Jr. had prepared the ground well. Born on the site of a former plantation and Revolutionary War battle, Williams was the youngest of 12 children. His grandfather was a slave known as Hardtimes Williams, who named his last child Hope. Despite his limited schooling, he farmed his own land, raised 14 children, chaired Calhoun County's NAACP and was SCLC's local contact. Calhoun had an NAACP branch in 1925 but it was dead within three years, when the poor economy left local folk with too little money to pay dues. Williams formed the Calhoun County Improvement League in the 1960s as part of his effort to get Negroes registered to vote. (Clyburn, 2006; Lau, 2006, 66-67; Venable, 2017, 112) Doors opened for SCOPE simply because every Negro in the county knew Williams and appreciated his community activism. In September, after SCOPE left and the VRA passed, another 366 Negroes registered to vote. (SC VEP registration statistics)

On July 12 another three girls and two boys moved to Camden, the county seat of Kershaw County and immediately began canvassing. They were Citti Allsup, Kathleen Courts, Ricky Gurbst, Bill Kornrich and Adele Smith, 18. Northeast of Richland, Kershaw County was much bigger than Calhoun, with a 1960 population of 33,585 of whom 39.8 percent were non-white. Camden had 6,482 people of whom 39.1 percent were non-white. As of 1964, 2,226 Negroes were registered to vote, which was 38.4 percent of the NVAP. This compared to 96.3 percent of WVAP which was registered. There was a hosiery mill and a trucking company in

Kershaw, but neither would hire Negroes for other than janitorial jobs. Nonetheless, Camden had a Negro middle class that one did not find in St. Matthews, which turned out to be both a benefit and a problem. Three households provided housing without compensation and Rev. James Gadsden gave SCOPE a room for an office in his Trinity Methodist Church.

In Camden SCOPE found two white women from the AFSC tutoring Negro students who expected to go to white schools in the fall; indeed 104 would do so. (USCCR, 1966, 27) Margaret Myer and Sandra Fisher encouraged their students to help SCOPE with the canvassing, and they in turn brought in their friends. They were mostly mid-teens rather than older teens. Over time, the kids who stuck to it became a major resource for the SCOPE team. Dozens came to the mass meetings; about 25 learned to canvass on their own. In turn, SCOPEr Adele Smith, helped with the tutoring. (Venable, 2017, 88)

Of course they visited Negro churches and an occasional revival, talking up registration. That proved to be the downfall of Citti Allsup and Kathleen Courts. One youth who had been working with them drove Citti home from a revival. Instead of going inside, they parked outside and talked. Someone saw them in the car and spread the rumor that they were necking. Appalled at this immoral behavior, their host asked both of the white girls to leave her home and no other home would have them. They left the county to work in Orangeburg. Neither Adele Smith, who was Negro, nor the two white boys, Bill Kornrich and Ricky Gurbst, were asked to leave. The three of them continued working, feeling overwhelmed by the amount of work left to do. On August 2, 110 persons were registered. The registrar agreed to stay open for a week beginning August 16, with the result that another 500 Negroes were registered. (KZSU SCOPE group 30 interview, 1965; Camden SCOPE reports; SC VEP registration statistics; *Camden Chronicle* 8-23-65, 3)

Unlike those in Columbia, Camden's hospital, restaurants, library and the YMCA weren't even attempting to desegregate. Negroes were served from the back door, if at all. One restaurant owner put a sign in his window that said "All money received from Negroes will go to the Ku Klux Klan." Allsup and Courts called the DoJ about the hospital, not realizing that HEW was the enforcement agent for that violation. However, in September the NAACP filed a complaint with HEW, charging Kershaw County Memorial Hospital "with refusing to allow colored doctors to practice in the facility." (KZSU SCOPE group 30 interview, 1965; Camden SCOPE reports; Venable, 2017, 99, 102; second quote in *BAA* 9-18-65, 17)

As was true elsewhere, registrars weren't eager to register Negroes. On July 12 the registrars put up folding tables outside, with chairs and forms, giving the impression that they were going to register those who wanted to vote. SCOPE brought about two dozen Negroes to be registered. When the three registrars saw that line, two took a break. Since the law required that at least two be present in order for anyone to register, that meant that nothing could happen. The two on break rotated, always leaving only one at the tables to watch over the forms. That single registrar was insufficient, so no one was registered that day. (Courts e-mail of 6-15-15)

After a week in Camden the Bill Kornrich and Ricky Gurbst moved to a farm a few miles north of Bethune, a town of 500 people, whose boundaries had been drawn to include only



whites. They shared the Mungo house with the couple and nine of their 12 kids for the next week. They quickly recruited dozens of kids to help canvass the surrounding communities. Getting adult support was harder, due to a pervasive fear of white retaliation. At one point Bill, Ricky and two of their teenage workers went into a drugstore which had been serving Negroes, as required by the 1964 Civil Rights Act, and took seats at the counter. They were there to eat, not to protest, so were quite surprised that the owners immediately closed the store and asked everyone to leave. Still hungry, they drove to a truck stop on US highway #1 outside of town, which had been recommended by one of their workers. Management must have seen them coming because the door was locked before they could reach the entrance, with the white customers still inside. Returning to Bethune, they pulled into the parking lot of a chain grocery store where they hoped to buy food. The police chief pulled up next to them and told them to get out of town and never return. He even followed them until they were four miles from town. They got the message: stores and restaurants might have to serve Negroes, but they didn't have to serve civil rights workers. (Kornrich diary; KZSU SCOPE group 30 interview, 1965; Camden SCOPE reports; Venable, 2017, 88-92)

Orangeburg SCOPE used the four thousand dollars it brought from New York to buy and rent cars to canvass the rurals and bring people to the courthouse. Over 200 people were registered in July, with many still waiting in line when the registrar's office closed. The registrar said he'd give them three days in early August. On Monday, August 2, the legally required registration day, over 300 people were registered. Calhoun Co. SCOPE also had a successful Monday, but didn't have extra days that week so came to Orangeburg on Tuesday to help out. With almost two dozen SCOPERS, lots of teen-age workers and a dozen cars, SCOPE brought several hundred people to the courthouse to be registered. When the registrars saw how many people there were they went on a slow-down strike. Two had to be present to register anyone; most of the day only two were present; one was always on break. They were also strict about the literacy test, which slowed the process even more. At the end of the day those still waiting to register were told to return the next day. SCOPERS and the locals working with them grumbled that they had brought all these people to the courthouse who obviously weren't going to be registered. They spoke to Earl Coblyn and as many government officials as they could find, but none were encouraging. The best any would offer was more registration days in September, after SCOPE left. Al Ziegler, the AFSC worker, urged them to just refuse to leave the courthouse until everyone was registered, even if it meant arrest. (Orangeburg KZSU interview, 1965; Venable, 2017, 149-50)

After much discussion that's what they did. At closing time, the courtroom still held a couple hundred people who had been waiting to register for hours; more were outside. The high school students started singing very loudly. Everyone joined in while the teenagers marched around the courtroom, creating a ruckus. Little by little the audience drifted away, as they realized that they weren't going to register that day and needed to get home for dinner. Around 6:00 p.m. Sheriff R. F. Dukes told them all to leave. SCOPER Dean Savage announced that those who wished to stay should stay and those who wished to leave should leave. By the time the Sheriff said get out or go to jail only 45 people were left in the courtroom – SCOPERS, high school students, and one old lady who had been sitting there all afternoon. (Orangeburg KZSU interview, 1965; FBI File #157-699)

Sheriff Dukes again requested that they leave, then said they were under arrest. Deputies and police officers pulled them from seats and floors and took them to cars for transport to jail. Some walked. Some didn't. Those that had to be carried were dragged and dropped. Arms were twisted. Clothes were ripped. Ultimately 35 adults were arrested. The 24 males were jailed separately from the 11 females, but not by race, as was the custom. They were jailed separately from the other prisoners, who were separated by race. The 20 whites were all members of Brandeis or NYC SCOPE, plus Ziegler and William Lucero. He had taught that summer in the Art Department of Claflin College, one of two Negro colleges in Orangeburg, as part of the Southern Teaching Project. After his summer classes ended he stayed on to do voter registration and ended up in jail. The 15 Negroes were local teenagers (plus two 20-somethings) who had been working with SCOPE. Juveniles included in the courtroom clean-out weren't charged. After an uncomfortable night trying to sleep on cold, damp floors, all were bailed out the next day. The next week, a judge found them guilty of disorderly conduct and sentenced them to a \$50 fine or 30 days in jail. (Orangeburg and Lucero KZSU interviews, 1965; *Times and Democrat* 8-13-65, 1; Venable, 2017, 150-3)

All of the eleven students who drove to Charleston on June 19 after orientation ended came from northern California; seven from UC Berkeley. Founded in 1670, the City of Charleston was one of the oldest in North America. It was the county seat of Charleston County, which sprawled along the Atlantic coast. In 1960 the city population was 65,925, of which 51 percent were non-white. The county population was 216,382, of which 36.5 percent were non-white. In the fall of 1964, 13,976 Negroes were registered, which was 39.4 percent of NVAP. Almost four times as many whites were registered, which was 64.6 percent of WVAP. Token school integration had finally come in the fall of 1964 when 86 Negro students were admitted to the formerly white schools in Charleston and 26 to schools in an urban area north of Charleston. The latter was the fastest growing area in the county. Rather than be annexed into the city, it finally incorporated as North Charleston in 1972. (House Judiciary Com., *Hearings* 1965, 197, citing *Charleston News and Courier* 11-1-64; ; SC NAACP *Annual Report* 1964, 12)

The SCOPERS were greeted by Esau Jenkins, 55, a prosperous businessman who had been a race man most of his 55 years. Born on John's Island, a large Sea Island just south of Charleston, he had a passion for education even though he never completed high school. Most of the 13 children he had with his wife Janie went to college, though several died young. In 1954 he attended a workshop at the Highlander Folk Center which convinced him to organize literacy classes for Negroes on John's Island. Every working day he drove a bus from John's Island into Charleston filled with Negroes who worked there. He talked to them constantly about the need to become voters and taught them words from the South Carolina constitution while driving. With help from Highlander and Septima Clark, formal classes started in 1957 in the back room of his grocery store that taught the information necessary to pass the voter registration test. This class became the model for SCLC's Citizenship Education Program (CEP).

Jenkins put the SCOPERS to work canvassing some really poor areas in Charleston, where most of them saw dire poverty for the first time. It was a shock. Jenkins soon came into conflict with the local NAACP over what the summer workers should be doing. The NAACP wanted

them to participate in desegregation demonstrations; Jenkins wanted them to do voter registration in accordance with Hosea's directions. The stand-off left them sitting around doing nothing for a couple days. By the end of the week, four were on their way to the home of Mrs. Martha Prioleau Simmons in Pineville, 50 miles away in Berkeley County. She had asked SCLC for 30 workers and was not happy when she got none. In anticipation, she had bought mattresses and bedding and supplies and had no intention of letting them go unused. When she heard that there were workers in Charleston she drove over to talk to Jenkins and the NAACP. She was given three girls and a boy: Sherie Holbrook, 18, Florence Jones and John Kimball, 25, from UCB and Nellie Habegger from Stanford. She put them up in a building on her property, where she and her husband also owned a store. As the oldest of the four, Florence became the project director but it was Mrs. Simmons who told them what to do and where to do it. (Labedis, 2011, 29, 34-35; Labedis e-mail of 6-18-15)

Mrs. Simmons' birthname was Middleton but she used her first husband's last name as her middle name. The 1860 Census records people with all three names – Middleton, Prioleau and Simmons – as slaveowners in Charleston County, which at that time included what is now Berkeley County. Indeed, a Martha Prioleau owned 13 slaves. Sally Middleton appears in the list of "Free Negro Owners of Slaves" compiled by historian Carter Woodson from the Census of 1830. She owned 16 slaves. Both the Middletons and the Prioleaus were very prominent colonial families. The Middletons came from England in the 17<sup>th</sup> Century. Arthur Middleton served as a Royal Governor of South Carolina while his namesake grandson signed the Declaration of Independence as a representative of South Carolina. *His* grandson signed South Carolina's Ordinance of Secession on December 20, 1860. Among the many plantations owned by various Middletons was The Oaks in Berkeley County. By 1965 it was a white-only golf course and country club. The Prioleaus were French Huguenots who settled in the Charleston area in the 17<sup>th</sup> Century. Prioleaus of both races became politicians. White Prioleaus served as Mayor of Charleston, in the South Carolina state legislature and in the U.S. House. Black Prioleaus ran for public office and served in the state NAACP. One of these was Aaron P. Prioleau. He frequently ran for Congress in the early 20<sup>th</sup> Century, when Negroes were being systematically disfranchised, and then petitioned Congress to set aside the election because of that disfranchisement. In 1904 he made a major issue of the fact that the state had not arrested anyone for the gruesome torture and murder of a Negro tenant farmer in Berkeley County. Under pressure, six white men were finally arrested and quickly acquitted. Since freed slaves often took their prior owner's family name, the 1940 Census found hundreds of Middletons, Prioleaus and Simmons of both races living in the larger Charleston area. ("Middleton," 1900; Woodson, 1924, 71; Moore and Burton, 2008, 44-5; Lau, 2006, 120)

Just north of Charleston, Berkeley County had no coast. It was geographically large but not dense. Its 1960 population was only 38,196, of whom 49.6 percent were non-white. After the state mandated re-registration in 1958, 1,913 Negroes were registered to vote, or 23.5 percent of NVAP. By 1964, the best estimate was closer to 4,000 or 52.5 percent of NVAP. The county seat strategically placed in the center of this very large county was a very small town. Moncks Corner had a 1960 population of 2,030, of whom only 469 were Negro. Unlike Charleston, *no* Negro students were attending white schools. (USCCR *Voting* 1961, 348; House Judiciary Com., *Hearings* 1965, 196, citing *Charleston News and Courier*, 11-1-64; SC NAACP *Annual Report*,

1964, 12)

SCOPE had two cars to use for canvassing, a Pontiac station wagon they bought in Charleston and an old Ford that Mrs. Simmons arranged for them to use. She also let them use a room in one of her buildings as a SCOPE office. Keeping the cars in running order was a constant struggle; fortunately John Kimball had some of the necessary skills. However, every time they left a car untended in Moncks Corner they returned to find a slashed tire or two. Replacing the tires was a drain on their budget. They also paid two teenagers to help them. Their biggest needs were finding teenagers to help them canvass who didn't need to be paid and getting enough registration days. The registrar refused to open on July 5, the legally mandated registration day, but did accept applications two weeks later. That delay gave them two more weeks to work, resulting in over 200 new registrations. Less than that were registered on August 2, the next registration day. But 389 new Negro voters for two months work wasn't bad for a rural county with lots of challenges. The locals kept up the momentum after they left, registering 272 in September. Registrations dropped off in subsequent months. Despite the fact that the VRA made it easier to register, potential voters still had to get to the registration office on a day it was open. (Labedis, 2011, 41-2; SC VEP registration statistics)

Local whites soon made it clear that SCOPE was not welcome. The local Klan, known as the Santee Sportsman Club, paid its first visit to the SCOPE house on June 30, pulling cars and trucks within inches of the house and flashing lights into the windows. Arsonists burned two buildings in the Negro school. Mrs. Simmons' minister, the Rev. Abraham Gadsden, let SCOPE use Redeemer Reformed Episcopal Church in Pineville for mass meetings. It was also where people gathered on registration days before going to the courthouse in Moncks Corner. On August 20, it was firebombed and reduced to rubble. Two youth working with SCOPE were beaten up. Some parents were so frightened of Klan reprisals that they told their children to quit the movement or quit their house. Sometimes all the floor space in the SCOPE house was occupied by teenagers defying their parents wishes in order to do civil rights work. (HUAC Report, 1967, 160; Labedis, 2011, 36-37, 95-98, 103-06)

In mid-August, after registration was over for the month, SCOPE tried to integrate a couple eating establishments in Moncks Corner. The owner of their first attempt closed the restaurant and told everyone to leave. The next day he saw them coming and locked the door before they could get inside. Instead they picketed outside, making customers who couldn't enter very mad. Another SCOPE group went to a different restaurant where they weren't asked to leave but weren't served either. As they sat unattended, one of the white customers decided to personally remove them from the premises. A big man, he literally threw those he couldn't push out the door. When Florence went limp, he picked her up and threw her *through* the door onto the sidewalk, shattering the plate glass. She landed with a thud, bleeding from a large gash in her calf. SCOPE left to take her to the hospital, where a white doctor reluctantly stitched her up and told her not to come back. (Labedis, 2011, 92-94, 99-102)

The SCOPERS who remained in Charleston Co. had an easier time, though certainly not as exciting. Their worst moment came on July 4, when they tried to have a picnic on the beach. South Carolina had 26 state parks, 19 for whites and seven for Negroes, most of which were closed in 1956. In 1963, federal judge J. Robert Martin Jr. ruled that racially separate public

parks were unconstitutional and ordered them open to everyone. (*Brown v. S.C. Forestry Commission*, 1963) However, fact did not always follow theory. Two years later whites still reacted hostilely to any blacks who entered “their” parks. On July 4 seven white and six black civil rights workers drove 50 miles down the coast to Edisto Beach State Park because they had heard it was safe. In fact it was still closed. Whites used a nearby private beach, and sometimes drifted into the state park, where they were ignored. The 13 had barely laid out their picnic when the police arrived, arrested them and took them to jail. Only five were SCOPers, the others were divided between NAACP summer workers and Charleston Negroes. Soon the head of the Charleston NAACP arrived to bail them out. Trial was held two days later before the local magistrate, who was convinced that they were all just “a bunch of communists.” Even Matthew Perry, their lead lawyer, couldn’t persuade him that they were just a bunch of young people trying to enjoy a private picnic. The magistrate thought a sentence of \$50 or 30 days in jail was “very reasonable.” The convictions were later reversed by a state court. (Quotes from trial transcript in Bernstein, 2005)

Esau Jenkins sent Bruce Miroff, 20, and John Allen to work in James Island, south of the city, where they were warmly received. Working with Joe Frasier, 19, from Charleston, they canvassed, taught classes and spoke at Negro churches, as was common in other projects. Lacking a car, they did a lot of walking; sometimes a local teenager would drive them. The others remained in the City of Charleston, though Carol Sanders soon joined the group in Berkeley County. Charleston was a difficult place to work but persistence paid off. During July 66 Negroes were registered to vote, along with 24 whites. At the request of Negro leaders the registrars gave them three days in August, though they wouldn’t change the hours to include time after 5:00 when people were off work. The final count was 448 Negroes and 151 whites added to the registration rolls. (*Spartanburg Herald*, 8-5-65, 36)

Three male and three female SCOPers went to Allendale, home county of Gov. McNair, on June 19, where they were greeted by Rev. Julius J. Fields, SCLC’s local contact and head of the county voters league. Bill Leue, 20, and Lance Nelson, 17, came from Albany, NY. The former was a sophomore at the SUNY/Albany campus and the latter was due to start at the University of Chicago in the fall. Leue had gone to the 1963 March on Washington. John Palms, 17, was a high school student in Detroit. His sister, Jeannine Palms, Patricia Ann Grych and Louise P. Bryl, 21, were all students at Wayne State University. They were soon joined by Jim Herman, 21, another WSU student. The men stayed with Rev. Robbie Dix, Jr., head of the NAACP branch, who also allowed SCOPE to use his church. He informed Sheriff Grover Forrester of their presence, and their intention to work strictly on voter registration. The sheriff in turn informed SLED and the FBI. In late July, they were joined by another Wayne State student and two nurses from Detroit who had been working in Henry Co. AL. (*Knickerbocker News* 6-12-65, 10A; FBI memo 6-22-65, File # 157-2925)

Allendale was a small county across the Savannah river from Georgia. The 1960 Census reported that the County had 11,362 people of whom 63.2 percent were non-white. The county seat was also called Allendale. In 1960 it had 3,114 people of whom 58.1 were non-white. During the July registration period only 30 Negroes were registered while 148 were turned away. In expectation of a similar problem in August, Hosea sent Leon Hall to Allendale to get a

movement going. (*Spartanburg Herald* 7-7-65, 1)

On the August 2 registration day the clerks only processed 35 applicants, leaving 200 waiting at the 5:00 closing time. The registrars had refused to work any more days that month, so Leon said they'd stay in the courthouse until all were processed, even if it took all night. When they started singing and clapping, the sheriff arrested 38, including all of the SCOPers and Leon Hall. Bail was set at \$200 for most, and \$700 for Herman and Nelson for resisting arrest. Eventually the charges were dropped. Hosea sent in Willie Bolden, George Shinhoster and J.T. Johnson to organize more marches. The federal Community Relations Service sent a white Baptist minister to bring the two sides together. SCLC wanted more registration days. The registrars wouldn't agree to more than the legally required one per month, but offered to hire more clerks in September and let those waiting in line sit in the courtroom. At first the number of marchers, and the number of marches per day, increased. Marching continued for three weeks. On Aug. 20 three SCOPers and 14 locals staged a sit-in in front of the registration office in the courthouse. They were arrested when they wouldn't leave the courthouse at closing, with bail set at \$100 each and trial scheduled for October. They left the state a few days later. (*NYT* 8-3-65, 16; 8-4-65, 18; 8-5-65, 12; 8-6-65, 12; 8-21-65, 8; *WP* 8-5-65, A7; FBI File # 157-699)

As SCOPE left South Carolina at the end of the summer Gov. McNair condemned them for "promot[ing] dissension and distrust rather than harmony and good will." He added that "Fully convinced that nothing good can come from the efforts of ill-informed outsiders to inject themselves into our local affairs, I urge and encourage them to return to California, and other places from whence they come, and devote their efforts to the improvement of conditions in their own home communities. (*The State* 8-24-65; *Columbia Record* 8-24-65)

The state was still waking up to the reality of desegregation. The NAACP estimated that the combined efforts of the all the summer voter registration projects (NAACP, SCOPE, CORE and AFSC) added more than 14,000 names to the registration books. (*SC NAACP Annual Report*, 1965, 1) The SC VEP estimated the total at 8,732, resulting in 151,510 registered Negroes in the state. (*SC VEP Project Counties*, July - August 1965; *BAA*, 9-11-65, 20) On August 21, Henri Monteith became the first Negro to graduate from USC since 1877, the year it closed after four years of integrated classes. (<http://library.sc.edu/socar/uscs/2009/scot09.html>; *NYT* 8-22-65, 48). As the public schools opened in the fall, 3,800 Negro students entered formerly white schools, up from 226 the year before. All of the state supported colleges and universities had been desegregated, either by court order or voluntarily without a lawsuit. (*SC NAACP Annual Report*, 1965, 1, 4, *NYT* 8-26-65, 20) The school boards of South Carolina may not have wanted any desegregation, but neither did they want to lose the federal money which HEW was threatening to cut off pursuant to the 1964 Civil Rights Act. In the 1965-66 school year 17.3 percent of the state's education funds came from the federal government. State funds provided 58.9 percent. Local whites weren't prepared to replace any of that with higher taxes for education. (Grose, 2006, 118-19)

On August 21, the SC VEP held a conference in Columbia's Prince Hall Masonic Lodge to strategize on how to take advantage of the Voting Rights Act which became law on August 6. The DoJ and the USCCR sent staff members to talk about the VRA but the DoJ didn't send in federal examiners until October 29, and then only to the counties of Clarendon and Dorchester.

SC civil rights leaders were very disappointed. They had asked that federal examiners be sent to *all* 46 counties, or if that wasn't possible at least to the 16 counties in which Negro registration was less than 30 percent of NVAP. Instead, the DoJ found itself defending the constitutionality of the VRA when the South Carolina Attorney General filed a complaint directly with the Supreme Court. By the time that the Supreme Court ruled in March of 1966 that the VRA was "a valid means for carrying out the commands of the Fifteenth Amendment" another 30,000 Negroes had become registered voters. (*South Carolina v. Katzenbach*, 1966)

## Newberry

I was only in Atlanta for a couple days before being sent to Newberry S.C. There were six of us. Mark Dinaburg, 18, and I came from UC Berkeley, where we had both been arrested in the Free Speech Movement the previous fall. Connie Day also came from the Bay Area, but wasn't a Berkeley student. Tom Rothschild, 21, was a New Yorker attending the University of Michigan. Fred Ramsey, the sole Negro, was from Chicago. We had all arrived in Atlanta after orientation ended. Our project director was Bill Treanor, 22. He had grown up in Westchester Co. New York, dropped out of high school, got his GED while in the Army and then dropped out of Georgetown University in DC. Bill went South for Selma and stayed. Hosea sent him to an active county in NE Georgia. He missed orientation because he was in a Georgia County jail. (Treanor interview, 7-1-13) Hosea loaded us into Tom's Nash Rambler and sent us to Newberry, about two hundred miles away.

Newberry was the name of both the county and the county seat. The former was created in 1782 on the eastern edge of the piedmont plateau which ran through western South Carolina. Like the rest of South Carolina, it was occupied by the Cherokees until the arrival of whites decimated their population. An Iroquoian speaking nation, they had migrated from the Great Lakes region many centuries before. During the French-Indian War, the Cherokees attacked white settlers, temporarily deterring more settlement. Defeated by the better equipped British, the Cherokees signed the Treaty of Charleston in 1761, ceding major portions of their lands. During the War for Independence, the Cherokees fought on the side of the British, and lost once again. As the natives moved and died out, those in Newberry were replaced by Irish, Scots-Irish and Germans, along with their African slaves. In 1860, Negro slaves outnumbered whites by two to one.

Before the War, slave labor made Newberry a very prosperous county. After the War, prosperity did not return. Most Negroes became sharecroppers or tenants. Cotton was still the only cash crop, but plagued by declining prices and increased costs as well as regular panics and depressions. Even the introduction of textile mills did not improve living standards. Jobs in those mills were restricted to whites. Efforts were made to cease dependence on cotton, especially when the county went into another major depression in 1921. However, diversification didn't take hold until after WWII, largely as a result of federal money and resources. By 1965, the main agricultural crop was soybeans, but the county was rapidly moving out of growing crops into producing animal and forest products. (Pope, 1992, I:152-72) These did not require the large supply of poorly educated labor that had planted and plowed the land for two centuries. The county population steadily declined after the 1920 Census counted 35,552 people. By 1960 only 29,416 people lived in Newberry County, of whom 35.5 percent were non-white. Almost 5,000 of these were over 21. At the time of the 1964 general election 20 percent of NVAP were registered to vote, compared to over 90 percent of the 12,000 WVAP who were on the voting rolls. (House Judiciary Com., *Hearings* 1965, 199, citing *Charleston News and Courier*, 11-1-64)

Like the rest of the rural South, Newberry County schools didn't provide much of an



education for blacks or whites. Before WWII most schools had one room and one teacher, paid for by a small property tax. Attendance was not even compulsory until 1937. Newberry County received funds from all four of the northern philanthropies that were supporting Negro education in the South. Between 1917 and 1928, these foundations spent over thirty thousand dollars in the county. Two-thirds of that came from the Rosenwald fund to build 26 schools. As of 1933, there was one training school in Newberry County, built with Slater funds. It provided a 4-year program but was not accredited. (Redcay, 1935, 154) Teachers' salaries were paid by the county, with Negro teachers getting one-third of what white teachers received. During the 1950s new schools were built in Newberry, including a Negro high school. Some of the old ones became community centers. (Pope, 1992, II:183; [https://scdah.sc.gov/sites/default/files/Documents/Historic%20Preservation%20\(SHPO\)/Resources/African%20American%20Heritage/Rosenwald%20School%20Database/Rosenwald\\_Newberry.pdf](https://scdah.sc.gov/sites/default/files/Documents/Historic%20Preservation%20(SHPO)/Resources/African%20American%20Heritage/Rosenwald%20School%20Database/Rosenwald_Newberry.pdf); <http://www.nationalregister.gov/MPS/MPS050.pdf> [http://rosenwald.fisk.edu/index.php?o=0&school\\_county=Newberry&school\\_state=SC&button=Search](http://rosenwald.fisk.edu/index.php?o=0&school_county=Newberry&school_state=SC&button=Search))

Located 40 miles NE of Columbia, the City of Newberry was founded in 1789 to be the county seat of Newberry County. Its population grew dramatically after 1851, when a rail line was built between the cities of Columbia and Greenville with a Newberry stop. Calling itself "The City of Friendly Folk," its 1960 population of 8,208 persons was 28.1 percent non-white. The county courthouse was a three-story rectangle at College and Harrington Streets. Opened in 1908, it was the fifth courthouse since the first was built in 1795. This is where we brought people to be registered. (Pope, 1992, I:9-10) The city was also the home of Newberry College. Founded in 1856 by the Evangelical Lutheran Church, its few hundred students included women as well as men, but no Negroes. The second largest town was Whitmire; only 14.3 percent of its 1960 population of 2,263 were non-white.

Nothing much happened in Newberry. Surrounding counties had been hotspots of racial conflict, or seen labor actions, or even a battle in the wars of the 18<sup>th</sup> and 19<sup>th</sup> centuries, but not Newberry. The most prominent white born there was Governor and Senator Coleman L. Blease, who represented Newberry in the legislature between 1890 and 1909. "[P]erhaps the most blatantly racist politician in the state's history," he supported lynching and opposed Negro education. (Bass and DeVries, 1976, 273; Bass, 2009, 72) When he ran for re-election to the US Senate in 1930 he endorsed lynching so vociferously that prominent women "repudiat[ed] the use of the name of the white women of the South as a cloak for mob violence." He was defeated in the primary and retired from politics. (BAA quote on 7-26-30, A19; 9-20-30, A4; CD 7-26-30, 13) His half brother, Cannon G. Blease, was Sheriff of Newberry County on July 28, 1919 when Elisha Harper, 28, a Negro veteran of the Great War, was arrested because a white girl of about 14 reported that he had "insulted" her. A search at the jail disclosed several pictures of white women, presumably brought from France where he had served. As a mob began forming to execute "summary justice," the sheriff secreted Harper over the back roads to the penitentiary in Columbia. The mob did not tear apart the Negro sections of town in frustration, as so many had done elsewhere when thwarted. (Quotes in *Herald and News* 7-29-19, 1<sup>1</sup>) Blease's deputy,

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<sup>1</sup> The story did not describe the nature of the "insult," or read like anyone directly involved had been interviewed. It said it happened "as she was walking along the street on the way to town."

Thomas M. Fellers, was sheriff when we were there in 1965. The previous April five hooded men had entered the jail in the village of Prosperity, seven miles from Newberry City, where they slapped around a Negro teenager who had been arrested for disorderly conduct at a café. The next day Sheriff Fellers announced the arrest of the jailors who had allowed this to happen. ([http://genealogytrails.com/scar/newberry/sheriffs\\_hx.htm](http://genealogytrails.com/scar/newberry/sheriffs_hx.htm); *BAA* 4-17-65, 17)

Prosperity, whose total population had peaked at 844 in the 1930 Census, was the birthplace of Charles Cecil Wyche, one of the four federal district judges sitting in 1965. Born in 1885, he was patently unsympathetic to the civil rights movement. Wyche had dismissed the class-action lawsuit to desegregate Clemson College in 1962, only to be overruled by the Fourth Circuit. Nominated by FDR on January 11, 1937 and confirmed by the Senate eleven days later, he died in office on September 17, 1966 after an undistinguished career. (<https://www.fjc.gov/history/judges/wyche-charles-cecil>)

The most prominent Negro had only passed through, and then only through the legal system. In 1949 newspaper editor John H. McCray had covered the Greenwood trial and execution of Willie Tolbert, a 24-year-old Negro convicted of raping a white girl. In 1950 McCray was charged with the crime of identifying a rape victim, even though he had not named the girl. He was indicted for describing her sufficiently to be identifiable. Few in the Negro community doubted that this was payback for his 1948 efforts to use the PDP to undermine the Democratic Party for supporting Gov. Strom Thurmond's Dixiecrats. The case was removed to neighboring Newberry County where sentiment against him was supposedly less inflamed. Before trial, McCray decided to plead guilty in order to avoid jail time. He agreed to a \$5,000 fine and three years probation. In 1951 he violated the conditions of probation by flying to Chicago for a conference. For that he served sixty days in the Newberry County jail. (Lau, 2006, 210; *BAA* 4-22-50, 5; 8-25-51, 4; *NYT* 6-20-50, 28)

We were met by Mrs. Carrie Bell Turner, 49, and her sister Marie Epps, 46. They had run the county CEP classes, which connected them to SCLC. Mrs. Turner was the oldest of eight siblings. Mrs. Epps was the fifth. Their grandfather, Abraham McMorris, was born in 1843 in Newberry Co. The 1860 Census counted 13,695 slaves in Newberry Co., of whom 56 were owned by W. W. McMorris. Dr. J. M. Epps also owned a plantation in 1860, with 68 slaves. Mrs. Turner and Mrs. Epps both went to Drayton Street High School in Newberry, a beneficiary of Rosenwald funds in the 1920s. With eight teachers, it was the largest Negro school in the county. It graduated its last senior class in 1954. (<http://genealogytrails.com/scar/newberry/draytonstreetschool.htm>)

Mark went with Mrs. Epps to her home in Whitmire, 16 miles from Newberry City, where he shared a bedroom with her 18-year-old son, Jackie. The Epps had bought a house in

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The pictures of white women found in Harper's possession appeared to be just as provocative as the "insult" to the white girl. Harper had enlisted from Ohio and returned to that state by the 1930 Census; his father lived in Newberry. I couldn't find a record of a trial for his "insult." The *Herald and News* (8-8-19, 7) later published a letter from a Negro man about Harper's indiscretion warning other Negroes to behave themselves.

Whitmire after years of running a farm when her husband, John, got a job in a textile mill. A state law passed in 1915 kept Negroes from working in these mills. (Peirce, 1974, 421; Bass 2009, 72) After the 1964 Civil Rights Act made employment discrimination illegal the DoJ and the state attorney general worked with the plants to open up jobs to Negroes. The plants were facing a labor shortage at the time, making compliance with the law a blessing in disguise. (Bass and DeVries, 1976, 278) The rest of us stayed with Mrs. Turner at her home just outside the city of Newberry. She had a three bedroom house with a large wrap-around porch. She didn't have any children, though she had raised a niece and nephew while teaching elementary school in Prosperity. We occupied the two extra bedrooms, girls in one and boys in the other.

A couple days after we arrived in Newberry, Mrs. Turner told us she had to cook for a church supper. I volunteered to help. She looked at me skeptically, as if to say “*you can cook?*” but accepted my offer. My first job was chopping vegetables for potato salad; bell peppers, onions, a little carrot for color. When I finished, she looked at my piles of chopped veggies and said I didn't chop them fine enough. I tackled the job again. Again she said “not fine enough.” There was no third chance; she fired me, and did the chopping herself. OK, I said, let me bake a cake. Cake baking was my forté. I had learned cake baking from my mother; my baked goods won prizes in 4-H competitions and small fairs in Southern California. My chocolate applesauce cake had won several blue ribbons. Fine, she said, bake a cake. I looked through her cabinets for the necessary ingredients, measuring cups and spoons. I found the flour, milk, butter and sugar, but couldn't find anything to measure them in. Finally I asked where the measuring cups were. “You don't need those things,” she said. “I thought you said you could bake!” She then proceeded to put together a cake batter by the method my mother called “by guess and by gosh” – a handful of this, a shake of that, and a dash of something else. I recognized it, but I couldn't do it.

I had learned to bake “scientifically.” Around the turn of the century there was a movement to professionalize housekeeping and cooking. Recipes learned in the kitchen were translated into precise measurements and tested for the best results. The winners were put into cookbooks and taught in the newly emerging Departments of Home Economics. My mother had majored in Home Ec at Alabama College for Women, taught Home Ec in Alabama county high schools, worked as a home demonstration agent after the county schools closed during the Depression, and then taught Home Ec again in the Los Angeles public schools before switching to History. She taught me to read recipes and to follow them, and that's what I did. While I did experiment occasionally, it was never “by guess and by gosh.” My mother had described her mother's negative reaction when she took the cooking techniques she learned in college home to Hamilton, and so I knew not to question Mrs. Turner's cooking style. My efforts to help had only convinced her that her original assessment was correct: *white girls can't cook*. I retreated from her kitchen.

Over the next year I came to the conclusion that the civil rights movement operated like Mrs. Turner's (and my grandmother's) cooking – by guess and by gosh. On paper it might look planned and organized – like a cookbook – with memos, directions and requirements. But the reality was different. People learned from experience, with a lot of trial and error learning, by doing what those around them were doing. Leaders gave directions, but they weren't always

followed very well. Volunteers offering to do something or give something were crucial to getting things done. When the right skills or resources weren't available, the movement made-do. When I studied social movements in grad school and had more experience working in them I realized that this was typical. All movements rely on a lot of spontaneity and little bit of organization. Over time they might evolve into regular organizations, or simply go out of business, but the batter is made "by guess and by gosh."

We started canvassing as soon as we arrived, in hopes of getting a large turnout for the first registration day on July 5. I was more successful at canvassing than I was at cooking. I had had a lot of experience canvassing for Democratic Party candidates in California. I'd started off in 1952 going door to door with my mother for Adlai Stevenson, graduated to working my own precincts in 1956, and worked for one candidate or another in every election since. I'd also done a lot of selling. California child labor laws made it impossible for anyone under 16 to get a job on the books so those kids who wanted to earn pocket money had to find other ways. I sold walnuts harvested from the six trees in our yard and boxes of cards bought from a catalog. By the time I got to Newberry, I was pretty good at finding arguments that would persuade people to do what needed to be done. Patience and persistence were key. Some of us who didn't have that background assumed that people wanted to register and that the only problem was getting them through the stumbling blocks presented by the registration process. They were dismayed when they encountered people who didn't rush to register, who told them that they'd think about it, or do it another day when they had more time, or who simply stood them up. From listening to people talk, I realized that lack of time wasn't the problem, so much as what was in their head. While many Newberry Negroes said they wanted to register, quite a few didn't see themselves as participants in the polity and didn't think voting would make any difference in their lives. It was mental barriers as much as the constraints of the registration process that we had to work around.

Years later, when I researched my book on women's political history, I discovered that white women had the same reluctance to vote after getting equal suffrage in 1920. It would be decades before women voted in the same proportions as men. Both surveys and anecdotal evidence reported that most women thought politics was "men's business" and not for them. Only after older generations raised on this belief were replaced by younger cohorts for whom voting was normal did women's voting rate catch up and surpass that of men. In the 1960s there were barely any Southern Negroes still living who could remember the time before disfranchisement, when they could vote freely. While most counties had some Negro voters, they were the educated elites, plus an occasional well-off farmer or store owner. To many, perhaps most, Southern Negroes, voting wasn't seen as a necessity so much as a luxury – a costly luxury that was out of their reach.

Our primary job was to change that point of view. In doing this, Dr. King was very helpful. While doing election day get-out-the-vote operations in California I had learned to tap into party loyalty by telling registered Democrats how important it was to go to the polls to elect the Democrat. In Newberry I tapped into reverence for Dr. King. "Dr. King wants you to register to vote," I repeated at home after home, adding that he had sent me to help them do just that. If necessary I'd work my way up to a little dissimulation: "Dr. King will review the names of all the people who register to vote. Don't you want to be on that list? Don't you want Dr. King to

know that you answered his call?"

We preferred to canvas in black and white pairs, of the same sex, though that was not always possible. Since we were white, we needed local Negroes to canvass with us and they weren't always available when we were. Even though word did get out that Dr. King had sent us to Newberry County to get people registered, it got out slowly. Especially when we canvassed in the rurals, we were concerned that one or two whites knocking on the door of a Negro home would evoke anxiety. For our interracial pairs we relied heavily on high school students who were eager to be part of the Movement. Parents were more likely to be working, and when not working to be tired. We also trained these students to canvas on their own, but it was obvious to all that older Negro residents responded better to our urgings to come down and register than to the high school students. Some of this was because the local high school students weren't taken as seriously as the outsiders "sent by Dr. King" but a lot of it was simply because we were white. Several generations of Southern blacks were used to doing what white folk told them to do. Habits die hard.

We worked with the Ministerial Alliance, which had an office at 1105 Friend St., not far from the Newberry courthouse. On Sundays we visited their churches. The minister would introduce us to his congregation and invite one of us to tell them what we were doing. That gave us about five minutes to tell everyone why they should register to vote. Sometimes the minister would take up a collection for us. One Sunday we raised \$40, though that was unusual. After we left he would give his regular sermon, and no doubt take his regular collection. One of the ministers, Rev. S.T. Spencer, was Vice President of the SC Voter Education Project.

At these churches I observed that about two-thirds of the people in the pews were women. Since I didn't think they were all single, I wondered where were their men? I had no church experience in California. My mother sent me to Sunday School as a child but I rarely went to an actual church service, and I stopped going at all when I turned 12. But I had been to the membership meetings of a lot of political clubs that were part of the California Democratic Council, where I saw a similar pattern. Women were the bulk of the members, while men held the offices. Men did the talking and women did the work.

There were some differences. Over many months I observed that women in the Negro community were treated with greater respect and had more influence than women in the white community. They might not have the top jobs, but some, like Mrs. Turner, were acknowledged as church and community leaders. I hadn't seen that in the white world of the San Fernando Valley. In the 1950s the ideal woman was a "clinging vine" who needed a man to help her do everything, except take care of children, cook and do housework. Women who didn't fit this model were looked down on. My mother was a well-educated, intelligent, ambitious woman in a world that had no use for her. At that time, I had no idea how many other white women were like my mother, but at least in the Negro community well-educated, intelligent women were appreciated, not disparaged.

In the white world that I was familiar with, a woman's status depended on that of her husband. Even at Berkeley a woman's status was derivative, though it was more likely to be from a boyfriend than a husband, and thus could change when she switched boyfriends. Fathers

or brothers could serve the same function. The daughters and sisters of those men who were important were simply treated better and listened to more than those who weren't, or than women who had no male connection. Even in the FSM, it was a woman's relation to an important male which opened the door to her being taken seriously. Both in the Valley and at Berkeley, women without such a relationship had no status and weren't listened to. From what I observed, this wasn't true among Negroes in the small town South. While the wives and daughters of important men (usually ministers) had high status, other women could gain community respect from their own work. Mrs. Turner was one of those women.

Newberry was on the moderate end of the spectrum of white reactions to the civil rights movement. SCLC's CEP program flourished there. On February 16, 1963, fifteen teachers and 83 students from seven counties met in Newberry to learn about government and politics. (Clark, 1963, 1964) When the SC NAACP drew up its list of demands on June 5, 1963, Newberry Mayor Earnest Uyton appointed a bi-racial committee. (NAACP *Annual Report*, 1963, 16) In 1965 a Negro was appointed to the county Board of Education; Ralph T. Williams was an undertaker whose great uncle had been the county auditor during Reconstruction. (Pope, 1992, II:188) Another Negro had sat on the grand jury that indicted the two jailors in Prosperity. (*Jet*, 7-8-65) A local white woman, Alice Norwood Spearman, was executive director of the S.C. Council on Human Relations, which was the S.C. division of the Southern Regional Council. (Synnott, 2012; Bass, 2009, 87) All of this prepared the ground for SCOPE to be received peacefully, if unhappily, by the white community. Newberry was also the home of Klavern No. 790 of the Association of South Carolina Klans, but we didn't see it in action. (HUAC *Report*, 1967, 146)

The registration clerks engaged in passive but not active resistance, largely by not being patient or helpful. They sometimes rejected people who could read just because they were slow. People who were blind, partially blind or whose hands were so crippled with arthritis that they couldn't write fast or well were often rejected. I was impressed with their persistence. One was Mrs. Fannie Carter. At 44, she couldn't see too well but couldn't afford glasses. She couldn't read small print, which is what she was asked to copy to prove she was literate. She had tried to register to vote four times in the previous four years without success. SCOPE took her to the registrars everyday the board was open in July. Fortunately, the clerks asked her to read and write the same section of the Constitution each time. She memorized it, as well as the other questions, and finally passed the test.

Our work in June brought 36 Negroes to be registered on Monday, July 5 – the only day of the month that state law required registration boards to be open. The Ministerial Alliance persuaded the local board to open a few more days in July and we kept working. Every registration day Negroes lined the hall in the courthouse waiting to get into the registration office to fill out the application. In July we registered 253 new Negro voters, bringing the total in the county to 1,886 – an all-time high for Newberry County. The board was open for the entire first week of August, including Saturday, from 9 to 5 (except for Wednesday when it closed at noon). A Democratic primary election was scheduled for Sept. 14, which created heightened interest in voting. Two of the local Negro ministers were running for office; one for Mayor and one for Alderman. Rev. Holmes didn't have a chance, but Rev. Spencer was running in a district that

was 75 percent Negro. We thought that if we could just register enough Negroes, he might have a shot at serving on the city council. We used this election to persuade Negroes to not put off registering any longer, but when the election was held only one third of the county NVAP were registered. Both men lost badly, but they were the first Negroes on the ballot in anyone's memory. (*Newberry Observer*, 9-17-65, 1)

SCOPE was not the only summer project in Newberry. The American Friends Service Committee had recruited young Northerners to do tutoring in the South in order to prepare Negro children to enter white schools. Only one Negro child had entered an otherwise white school in the county in 1964. (SC NAACP *Annual Report*, 1964, 12) That Spring, 83 Negro students had asked to be transferred to eight different white schools. (*BAA* 5-15-65, 18) Vic Kramer and Marilyn Miller were in charge of the AFSC project in Newberry, though three local teachers and two SCOPERS worked with them. At the end of July the project printed eight pages of news items and short essays by the students. One threesome wrote about going to the library, the café and a movie. They didn't say that they integrated those establishments, but that's what they did. Another student wrote that the restaurants and swimming pool in Whitmire were not desegregated. SCOPE also set up a literacy school for adults. Those who wanted to learn to read sufficiently to pass the voter registration test came to the Ministerial Alliance office on Tuesday and Wednesday evenings.

Whitmire was a more hostile environment than the town of Newberry. About 2:00 on Monday afternoon, July 26, Mark was walking with Malcolm Suber, 14, from his father's cafeteria when they passed some white teenagers in a parked car. Words were exchanged; three white boys leapt from the car and started beating up on Mark, hitting him on the head and in the back. One of them had a 2 X 4 with nails in it which he used as a club, opening a gash over Mark's right eye. Someone phoned Jackie at the Epps house, about a mile away. He grabbed a baseball bat and ran toward town, picking up a few friends on the way. Malcolm ran for the cops. By the time everyone converged on the scene, the white boys had driven away. Malcolm's father took Mark to a doctor, who stitched him up. Late that night someone called the FBI in Charleston and reported the beating of "an unidentified white male..." Things were tense in Whitmire that night. Mr. Epps sat outside his home with a shotgun while cars full of white youths circled the block. Inside Mrs. Epps took phone calls, not knowing whether she was going to hear a threat or a friend. The next day the police arrested the three white boys on assault charges. They were released after posting a \$750 bond. Two were eventually fined \$100. Three days after the attack a mass meeting was held in Whitmire for local people to hear about and discuss the incident. There were no further attacks. Overall, the incident galvanized support for the voter registration project. (Newberry SCOPE newsletter; Epps interview, 10-6-15; *Newberry Observer* 7-30-65, 1; 11-26-65 1,8; *Spartanburg Herald* 7-27-65, 9; 7-28-65, 9; 7-29-65, 2; quote in FBI file #100-444461)

## Berkeley Interlude

Two or three weeks after I arrived in Newberry I got a call from Berkeley to return pronto for sentencing. I was one of 773 people who had been arrested on December 3, 1964 as part of the Berkeley Free Speech Movement. Mark Dinaburg had been only 17 at the time so was tried and sentenced in the Spring separately from the rest of us. The eight juvies were sentenced to a few weekends at a juvenile correction facility and a year of probation. Mark didn't have to return to be sentenced as I did.

The FSM was the biggest student protest in this country since the 1930s and the first to make international headlines. It began in September of 1964 when the University administration suddenly upended 14 years of tacit permission for student political groups to put up their tables and pass out their literature at the intersection of Bancroft and Telegraph, the southern entrance to the campus. After the University prohibited all political activity on campus in the 1930s, student political groups did their thing city side at the campus edge. When the campus boundary was moved one block south sometime in 1960, the four pillars that had previously designated the campus boundary were set 26 feet inside the new property boundary on what had been Telegraph Ave. Technically part of the University, this thousand square feet was treated like free political space. We did not get permits from either the City of Berkeley or the campus administration to put up our tables and pass out our literature. (Freeman, 2004, 27-8)

In September of 1964 the student political groups received letters from the Dean of Students telling us that the rules prohibiting political activity on campus would be applied to this space as well as the rest of the campus. We knew that this would make it difficult to impossible to reach students with our various messages. We asked for reconsideration but couldn't get anyone in the administration to listen. We thought that since some groups were recruiting students to participate in civil rights demonstrations against local employers, especially the *Oakland Tribune*, a reactionary newspaper owned by a former Senator William Knowland, that that was the reason for the sudden change in the application of the rules. We were wrong, but the belief that we were being kicked out of our space because of our commitment to civil rights added moral fervor to our cause. (Freeman, 2003, 151-3)

It was widely assumed, and often stated to the press, that our protests in the fall of 1964 were a consequence of our going to Mississippi in the summer of 1964. That belief was given credence by the fact that one of those Freedom Summer volunteers was Mario Savio, who quickly became the voice of the FSM. That assumption was also wrong; only three or four FSMers had been among the Freedom Summer volunteers. However, the broader civil rights movement was our inspiration and our model for action. A few more of us had worked in the South other than in Freedom Summer. Many of us had been involved in the Bay Area Civil Rights Movement of 1963-64. Thousands participated in the many demonstrations and sit-ins that year. Over 500 were arrested. The Bay Area Civil Rights Movement, like those in other northern cities, arose in response to the highly publicized events in the South in 1963: the Birmingham demonstrations with their fire hoses and dogs, the murder of Medger Evers, the March on Washington, the Birmingham church bombing and many other events. Those who



wanted to do something to end racism looked around and found much that needed to be done right where they lived or went to school. The FSM may not have been the child of Freedom Summer, but it was the grandchild of Birmingham.

Initially we only wanted our political space back. This quickly grew to a belief that the entire campus should be open to political activity. The administration couldn't make up its mind what it wanted, let alone justify it. The rules kept changing and we kept protesting. On December 2, after four students were cited for violating the old rules, some 1,500 of us occupied the Administration building; almost 800 were arrested in the wee hours of the following day. The resulting bad publicity compelled the Regents who ran the University to liberalize the rules some more, allowing the student political groups to function on campus for the first time in thirty years subject only to reasonable time, place, and manner rules. (Freeman, 2004, 209-13)

Our trial meandered on during the Spring until the last witness was heard in mid-June. By the time the judge found us all guilty it was late June, the Spring semester was over, and those who had other things to do during the summer had left town. We had agreed to one large trial before Judge Rupert J. Crittenden, which saved the county the costs of multiple jury trials. One of the promises we got in exchange was that, if found guilty, we wouldn't be sentenced until September, when those who were students would normally return for fall classes. (Freeman, 2004, 237-44)

My initial reaction when I got the call was to stay in Newberry. I knew we would appeal; why did I have to be personally present to hear the judge pronounce sentence? I was told by Legal Central – the people who handled the administrative tasks associated with the trial and kept in touch with the defendants – that I was one of 63 people who had been ordered to see a probation officer prior to sentencing. If I didn't do that, I was told, I might get a harsher sentence.

At the time I couldn't fathom why I was one of those 63. I later learned that that honor was given to those either identified as leaders of the FSM or with prior records, or both. I had been arrested twice in the Spring of 1964 for my participation in civil rights demonstrations in San Francisco. We were tried in small groups, with many mistrials. Ultimately, about half were convicted and half acquitted. My first trial, as part of a group of fourteen women, kept me out of class for a month in the middle of the Spring semester. We were all acquitted but the personal cost of missing so many classes was high. My second trial occupied nine days in the middle of July. I was one of four of both sexes who had been arrested together and thus could be tried on the same facts. The jury found us all guilty and the judge sentenced us to fifteen days in the county jail plus a \$25 fine and \$4 in court costs. (Freeman, 2004, 243)

The Bay Area Civil Rights Movement had many repercussions. Participating in those demonstrations led Mario Savio to go to Mississippi for Freedom Summer and kept me from going. I didn't want to do what I was now being forced to do: return to the Bay Area after just starting work in a summer project. Instead, when my trial was over, I hitchhiked to Atlantic City in August to participate in the vigil at the Democratic National Convention of the Mississippi Freedom Democratic Party. The most important effect of the Bay Area Civil Rights

Movement was local. It was the training ground for student protestors at both San Francisco State and U.C. Berkeley. Both schools would explode with student anger many months later.

There wasn't time to find a ride back to California so I dipped into my nest egg to pay for a round-trip bus ticket. Once in Berkeley I crashed on a couch in the apartment of Stephen Hechler, one of my friends from SLATE, a student political group I had been active in. SLATE leaned left, but its priority issues were civil liberties and civil rights. It was these priorities that attracted students like Steve, one of its few Republican members; we had some great discussions. It was in SLATE that I had learned some of my more important political lessons, in particular that while I could not fight for myself, by myself, I could fight for others with others. I hoped to get my legal appearance over with and return to Newberry quickly. This was not to be.

The meeting with the probation officer went well. Jacqueline Lesmeister was a young woman who was sympathetic to our cause. We became friends and corresponded for several years. The judge was not sympathetic to our cause. He suspended court for four days when he came down with a cold and didn't start sentencing until July 19<sup>th</sup>. He did it slowly, one by one. The sentences ranged from probation only to straight time without the alternative of a fine. When my turn came on July 26<sup>th</sup>, I was ordered to pay a \$250 fine, plus \$26 in court costs, or serve 28 days in jail. It was the standard sentence for those of us convicted of two counts who did not plead nolo or accept probation. Most of the FSM leaders got sentences of 30 to 120 days without the alternative of a fine.

Some chose to serve their sentences immediately; 572 of us appealed. Judge Crittenden refused to continue our bail and instead ordered us to post \$220 if convicted of one count and \$550 if convicted of two. I didn't have this much spare money, not even the ten percent for the bail bondsman. When we were arrested in 1964 the U.C. faculty had raised \$8,500 to pay the bail bondsman, but that was just his fee. If we wanted him to post bail for us for the appeal, we had to raise enough for another fee. I left town hoping some group would raise bail money for all of us; when I heard nothing more about it I assumed that had happened. Instead my mother got a letter from our lawyer the following November asking for bail money; she sent \$55 for my bond. That \$55 was a month's rent for my former bedroom. After I left home for Berkeley she rented out my room to cover part of my college expenses and was still renting it.

I only talked with my mother over the phone once while in Berkeley for sentencing, and I certainly hadn't asked her to pay the bond. We had an understanding about money: I didn't ask for any and she didn't offer. She might send me clothes or cookies, but never money. That's probably why she didn't tell me she paid the \$55 until long after it was done. Our phone call wasn't about my impending sentence but to commiserate over the death of Adlai Stevenson on July 14<sup>th</sup>. We both loved him.

Our activities the previous year had continual repercussions. The California Senate Subcommittee on Un-American Activities (SUAC) put out its 13<sup>th</sup> report in June, making headlines all over the state. Most of it was devoted to the "revolting" students at Berkeley. We learned that we were Communists or Communist dupes, and that President Clark Kerr let us get away with disrupting the campus because he was soft on Communism. Kerr and Governor

Brown responded with their own statements and press releases. Most of us thought the whole dispute was funny; we had no idea how those accusations fit into the larger political scheme of things. Since Kerr had been our opponent during the 1964-65 school year and Gov. Brown had had us arrested, we had no sympathy for them. Only time would teach us what was really going on. SUAC, certain Regents and the FBI were conspiring to fire President Kerr because he let too many “subversives” into the University, primarily as faculty. (Freeman, 2004, 251-55)

I also learned that Terrance Hallinan, known as Kayo, had been denied admission to the California Bar by its Ethics Committee because of his arrests in the 1964 Bay Area civil rights demonstrations. He had just graduated from Hastings Law School. The Committee said his deliberate violations of the law showed he lacked the “good moral character” necessary to be a member of the California Bar. That boded ill for anyone going to law school who had committed civil disobedience.

Ironically, I was engaged in writing about that very topic. I had written my senior honors thesis on civil disobedience, and delved into it again while waiting to be sentenced. The court had ordered us to write essays explaining our actions prior to sentencing. I wrote an 18 page essay on the conflict between one’s civil obligation to obey the law and one’s moral duty to follow one’s conscience. I thought it was better than any of the term papers I had written. I gave it to my probation officer. Those FSM convicts who weren’t interviewed by a probation officer gave theirs to our lawyers, who presumably turned them over to the court. I can’t imagine that the judge had the time to read them all. ([http://content.cdlib.org/view?docId=kt5d5nb0x8&chunk.id=&brand=calisphere&doc.view=entire\\_text](http://content.cdlib.org/view?docId=kt5d5nb0x8&chunk.id=&brand=calisphere&doc.view=entire_text))

The rest of my time in Berkeley I organized a support group for the Newberry project. Two of my friends, Carolyn and Tony Scarr, agreed to head such a group. They called it Kaleidoscope – a play on SCOPE. Tony had graduated in my class and was on his way to law school. Carolyn was a couple units short of getting her B.A. She was finishing up over the summer while looking for a job. Together they persuaded Larry Blake, a Berkeley restaurateur, to host a fundraising dinner. I’d left Berkeley by the date of the dinner but I heard it was very successful. About 25 people paid \$15 each (a princely sum in 1965) to eat his gourmet food for a good cause. Tony and Carolyn sent a check for \$340 to Newberry. Bill Treanor used it to buy a truck which he painted red, white and blue. People all over the county knew that it was the SCOPE truck.

The Greyhound dropped me off in Newberry at 2:00 a.m. on Saturday morning, July 31. I called Mrs. Turner’s house and someone came to pick me up. When I finally woke, I found her cooking for her church’s annual revival. This time she let me help her, though she still didn’t think much of my cooking ability. I found the sheer quantity of food she prepared to be overwhelming, as though the route to God was through the stomach and it was her personal responsibility to make sure that everyone got there.

There had been some personnel changes while I was gone. Connie Day left to be replaced by Paula Ferrari. She had joined SCOPE with her boyfriend Mike Farley after they

graduated from a San Francisco high school. Hosea sent them to different Alabama counties because he didn't think couples should work together. Paula said that he later decided they weren't far enough apart. He removed Paula to Newberry, and sent Mike to Martin Co. NC. The biggest change was a new addition to our project. Dr. Howard Levy, 28, was an army captain stationed at Ft. Jackson, in Columbia. Originally from Brooklyn, NY, he had arrived in South Carolina on July 13 after finishing his residency in dermatology. He found the Southern military base to be quite a culture shock. Four days later he read something about SCOPE's Newberry project in the Columbia *State* newspaper which caught his attention sufficiently to prompt him to drive the 60 miles to our small town. There, he found Bill Treanor, an army vet with views similar to his own. After that, he worked with us on his days off. At Ft. Jackson Dr. Levy was a fish out of water; SCOPE was more like home. (Myers, 2006, 191)

The project had published a 2-page newsletter on July 28, and the AFSC workers put out an 8-page compilation of very short student essays on July 31. I wanted to help with the next newsletter, but never got a chance. After only one week of work, during which the registrars office was open every day, keeping us very busy, I got a call to return to Atlanta ASAP. I wasn't given a reason, or even time to say good-bye. When I got to the Freedom House I was told to take the next bus to Abbeville, in Henry County, Alabama.