

Working in Bessemer

Bright and early on Monday, December 27, we started work in Bessemer, fifteen miles southwest of Birmingham. Founded in 1886 by Henry Fairfield DeBardleben, the father of the Jefferson county steel industry, Bessemer was named for the man who developed an inexpensive process to transform iron into steel. It was a company town with a majority black population. Bessemer High School had accepted its first 12 Negro students that fall, under threat of losing \$100,000 in federal funds after a federal lawsuit. (SC 12-18/19-65, 4)

It took 30-40 minutes to drive to the Bessemer courthouse from our morning meeting in Birmingham; longer to get our canvassers out into the neighborhoods. Monday was a working day, but it was also the week between Christmas and New Years, so finding people at home to talk to was problematic. Sometimes the whole family was home, having taken the week off; sometimes no one was home, having gone to visit relatives someplace else; sometimes the only ones home were women and children, seniors and unemployed.

When I got to the Bessemer courthouse around 11:00 a.m. I saw a line of Negroes standing outside. I followed it inside and up the stairs to the courtroom where the Circuit Court normally met. Only Negroes were in that line. Inside the courtroom, which had roughly a hundred seats, five female clerks were registering new voters. Two were registering whites; the other three registered Negroes. A police officer directed traffic. When a white person walked into the courtroom he or she was seated on the right side of the courtroom and quickly registered. There were only a few whites in the room so most of right side seats were vacant.

On the left side of the courtroom, all of the seats were occupied by Negroes. Any clerks not taking care of whites, registered Negroes. Once the left side seats in the courtroom filled up, Negroes took seats on benches in the hallway, or just stood. They stood in the hall downstairs and they stood in the street. They waited as long as three hours before getting to register to vote. Every so often a group would be allowed to go upstairs. One man who left the line after only half an hour told me he had a bad heart and could not stand any longer. I went upstairs to see what I could do and saw some vacant benches in the hallway. I asked one of the three Registrars if those people standing downstairs could come upstairs and sit. She told me that I had no business there and should get out of the courthouse. The police officer told me to leave.

I went to SCLC's temporary Bessemer headquarters on N. 20th St. to report what I had seen. The office called the Birmingham office of the FBI. Within a couple hours two agents arrived at the courthouse where they observed the segregated spaces and the preference given to whites. I made a formal statement to agents Lawrence G. Getting and George van Nostrand. After it was read back to me, I signed it. I was getting used to making statements to the FBI, though I often wondered if doing so served any purpose. By the end of the day, 360 Negroes and 45 whites had registered to vote. Many Negroes were still standing in line when the registrars' closed the doors at 4:00 p.m. (Freeman FBI file; Belknap, 1991, 15:195)

Bessemer was even more resistant than Birmingham at desegregating its schools.

Birmingham had achieved token desegregation of its schools in 1963. Bessemer High School got its first 12 Negro students only in the fall of 1965. It refused to submit a desegregation plan required by the 1964 Civil Rights Act when HEW asked it to do so. It said it didn't have to because no Negroes had applied to go to a white school and none had filed a lawsuit. In response, the parents of 11 Negro school-age children filed such a suit and federal judge Seybourn Lynne ordered the Bessemer school board to submit a desegregation plan. The plan submitted would assign each child to a school by race, but then permit the parents to apply to send their child to a different school. There was no deadline for the board to act on the application; only if it acted favorably would the child change schools. The next school year the child would be assigned not to the "new" school but to the "old" one, and if the parents so desired, make a new application to change schools. Judge Lynne approved the plan. (SC 12-18/19-65, 4) The Fifth Circuit vacated the judgement and sent it back to Judge Lynne, who reinstated the plan with minor modifications, on the grounds that school was to start in four days. (*Brown v. Bessemer* 1965)

The Bessemer case was appealed again and consolidated with other Jefferson County cases. In September nine Negroes entered Bessemer High and four went to the Junior High. On the first day of classes, 15 Klan sympathizers, most of them women, picketed Bessemer High School urging the white students to boycott. The police chief kept them across the street and no students left the school. (BN 9-3-65, 1; NYT 9-4-65, 22; CD 9-9-65, 8) The Bessemer students and others in Carver High who wanted to transfer to Bessemer met for special study sessions every Saturday in St. Paul's Lutheran Church where they were tutored by students from Miles college. They became acutely aware of how poor was the education they had received in the Negro schools compared to that of the white students in Bessemer. (SC 12-18/19-65, 4)

I had run completely out of money the week before Christmas when I spent it all to buy stamps and Christmas cards to send to my friends. It was fortunate that we were fed breakfast at a church each morning because I had no money left to buy food. Hosea's promised subsistence check had not yet come. If I had been more skeptical I would have skipped the Christmas cards and had the money to pay the \$.51 I needed to liberate a package waiting for me in the Birmingham Post Office. Shelly Morgan had written from Berkeley that she was sending me a loaf of home-baked banana bread for Christmas. Her note and the banana bread went to Greenville, which was the last address she had for me. The first class stamp on the letter meant that it was forwarded to Birmingham without further charge; the third class postage on the package meant that it arrived with 51 cents postage due. Instead of her gift, I found a postage-due notice among my mail at the General Delivery window of the Birmingham post office.

Since I spent most of my time in Bessemer that week, it took me a few days to figure out what to do. One evening I was sitting around the Birmingham office when it popped into my mind that I had earned spare change in childhood by collecting pop bottles and turning them in for the deposits. My last high school was a mile and a half from home. After school let out, students stopped at a small grocery nearby to buy soda and candy. I walked home, changed into my jeans and went back to the store, picking up the discarded pop bottles from the side of the road. At the store I turned them in for the deposits. I made enough each trip to buy my own treat

and still save at least half of what I earned. Around the SCLC office I saw an abundance of empty pop bottles. I collected them and took them to a large grocery store two blocks away. When I tried to cash them in, the store manager initially refused to take them. He knew who, or what, I was, and knew that Negro mouths had drunk from those bottles. He also knew that it was illegal to discriminate so he said that only the person who had purchased the soda and paid the deposit could return each bottle and collect that deposit. I knew he was making that up. I told him that I'd return with the purchasers – the Negro SCLC staff – and we'd hang around his store drinking soda pop so we wouldn't have to leave him any deposits. He contemplated the potential disturbance to his customers for less than a minute before telling one of the check-out clerks to give me the deposit money. It took me two days to turn in enough bottles to ransom my banana bread from the post office after which I never went into that grocery again. On Monday, January 3, I finally got a subsistence check from SCLC for December. I never got anything for November.

Throughout the Christmas project I watched the male staff pair off with the female volunteers and listened to each group talk about the other. It slowly dawned on me that both the girls and the guys were rating each other, and doing so with the same aim – to enhance their status with their peers. No one expected these liaisons to be long term. It was more of a game whose purpose was to establish, or reinforce, each player's status in their own peer group.

While both males and females played the status game, what constituted status differed. For the guys, it was the physical appearance of their temporary girlfriends. Attractiveness was determined not by overall beauty or even sexiness, but by lightness, or whiteness. Getting a girl to go with you who had lighter skin or blonder hair conveyed more status, as determined by how many guys made favorable comments about the girl's appearance. The comments I heard had an awful lot to do with skin, hair and eye color, not personality, or even "availability." I had observed the same phenomenon when I was in Mexico in 1963 going to summer school at the University of Guadalajara. The Mexican boys liked to pick up the American girls – and vice versa. Again, it was lightness that made a girl attractive. Blondes did have more fun – or at least more guys who wanted to be with them.

For the girls, status was determined by the guys' position on the staff or reputation in the movement; what would later be called "street cred." Stoney and Ben were big fish. They pretty much had their pick of the female volunteers – at least the ones playing the game (not all did). I heard Stoney's girl bragging to the others about catching him. Since there were more female volunteers than male staff any guy who really wanted a two-week girlfriend could get one. The only question was how much of a trophy he could brandish. Both girls and boys were seeking bragging rights, not relationships.

Frankly, I didn't know where anyone got the time or energy for fooling around. I got up at 5:30 a.m. in order to be at the church for breakfast at 6:30. It was about a half hour walk from the "Y". From there, we went out to the neighborhoods and canvassed until dark. Then we came back to the Birmingham office from which we went to a church for a mass meeting – or met in Kelly Ingram Park if no church was available. Sometimes we returned to the office to make phone calls and type up reports. Maybe some people had enough energy to go to the honkytonks

late at night, but I sure didn't. When I finished for the day, if there was no one in the office with whom I could get a ride, I walked back to the Y and promptly went to sleep.

Our week in Bessemer was very successful. By the close of business on Friday, 2,185 Negroes (and 220 whites) had registered to vote. The fact that almost a quarter of those had registered on Friday was evidence that they had responded to our canvassing. The daily registration increased every day that week. On four of those days there were still lines when the registrars left at 4:00 p.m. Of course that wasn't the final step. To vote in the forthcoming Bessemer city election and the statewide primary in May, all those registered voters still had to pay their \$1.50 poll tax. (Belknap, 1991, 15:186, 195; *BN* 1-3-66, 4)

Working in Birmingham

By the time I got to Birmingham, the rules of conduct by which both races lived were in flux. The old rules were gone, but no one was too sure what the new rules were. Basically, Birmingham had gone from total segregation to token integration. Or, to put it differently, public spaces were no longer segregated, but they weren't integrated either. At least the state was no longer involved in enforcing the rules of separation; it was done informally.

The "white" and "colored" signs were gone, but both blacks and whites often acted as though they were still there. Trailways and Greyhound bus stations each had only one waiting room, though the people in them tended to congregate in different sections by race. The city busses were officially desegregated, but whites still sat toward the front and Negroes toward the back. If a Negro took a forward seat, whites would not sit behind him or her, in order not to be seen in the unofficial Negro section. Sometimes that meant that whites did what Negroes used to do: stand while there were empty seats in the "wrong" section of the bus. No one did what Negroes were once required to do: enter the front door to pay the fare, then exit and re-enter the bus at the back door. (*SC* 9-11/12-1965, 1)

Restaurants officially served everyone without regard to race, but very few Negroes went to previously "white" restaurants and no whites went to "Negro" ones. Both the "YM" and the "YW" had separate Negro and white facilities and there were no plans to merge them. A few Negroes were hired by the banks and stores, but not where they dealt directly with the white public. Only a third of the working men in Jefferson County made the federal minimum wage of \$1.25 an hour. (*NYT* 8-22-65, 49; Good, 1965, 21; *BN* 11-21-65, B3)

Some whites resisted the new rules. In October of 1965 the driver for the "white" ambulance company refused to pick up the Negro victim of a traffic accident. By the time the "Negro" ambulance arrived a half hour later, the victim was dead. Some change could be seen the next day when the driver was fired for "neglect of duty." The next week the City Council deleted the racial clauses from the contracts with both companies. They had said: "Nothing in this contract shall obligate the company to pick up or transport any person of the Negro (white) race." (*BN* 10-7-65, 1; 10-13-65, 71)

SCLC had held its 1962 convention in the 16th St. Baptist Church. It held its 1965 convention in a desegregated hotel and the Municipal Auditorium. There were some incidents. Rev. King Sr. and a Birmingham minister were served on paper plates at a local restaurant. They subsequently filed suit under Title II of the 1964 Civil Rights Act for being denied customary service. (*BN* 9-8-65, 19)

The NAACP held its first national Board meeting outside New York when 320 delegates from 32 states came to Birmingham for the weekend of September 11-13, 1965. It was a way of saying "we're back!" after all those years of being banned. Since legally returning to Alabama in October of 1964, the NAACP had developed 6 branches in Jefferson County and 28 others throughout the state. The *Birmingham News* told its readers to "respect the NAACP's presence

here” because it advocated “responsible action.” This was quite a change from a decade earlier. (BN 9-11-65, 1, quotes on 10; 9-12-65, A4; 9-19-65, B3; 12-12-65, A-31; SC 9-18/19-65, 2)

City facilities were also desegregating, but very slowly. Negroes could use the public library and its restrooms, but the public swimming pools remained closed. (SC 1-1/2-66, 4) Investigators from the Birmingham Human Relations Council went into the white hospitals to ascertain how much they had desegregated. Only St. Vincent’s, a Catholic hospital on the south side, appeared to have desegregated. One hospital said it was awaiting the outcome of a law suit, and the others said they didn’t take federal funds, so weren’t required to mix whites and Negroes. (SC 12-11/12-65,6)

The Mayor and other city leaders met frequently with unnamed “local Negro leaders” but very few Negroes got city jobs. (BN 7-9-65, 4; 11-25-65, 3) There still were no Negroes on the police force, or in the fire department, or among the city clerks, but 16 Negro women were hired as school crossing guards. In 1965 Arthur Shores was appointed to the Board of the Housing Authority, while his associate in his real estate company was appointed to the Planning Commission. Another three Negroes were added to various boards in November. (Thornton, 2002, 372-3; NYT 8-22-65, 49; BN 11-23-65, 1; 11-28-65, A-34) In November one Negro was put on the list of those eligible to be appointed to the police force. A Miles College student, he lived just outside the city boundaries, which meant he could only get the job if there were no Birmingham residents on the list when an opening occurred. (BN 11-21-65, A-30)

The constant pressure to hire Negro police had generated some introspection. The Civil Service Personnel Board hired a Chicago firm to count the Negroes holding positions in the city and county governments. They only found 65. A review of the records disclosed that since 1960, 518 Negroes had applied for civil service positions, 463 took the exam, 82 passed, 70 were deemed qualified, and four were appointed to jobs. (BN 8-19-65, A10; 8-26-65, 24) The final report released in December said that there was no evidence of intentional discrimination, but there were practices which had the same effect. It recommended revision of the tests, acceptance of a high school equivalency in lieu of a high school diploma and recruitment through channels likely to reach Negroes. (BN 3-12-66, 2)

The fact that so few passed the exams reflected poorly on Birmingham’s segregated schools. This was used by Negro parents to justify their attempts to get their children into the white schools. Dr. John W. Nixon, Alabama state director of the NAACP, said “Our college boys can’t pass a test that a redneck with less than a 12th grade education can pass with ease.” ... “That’s why we need to transfer Negro children immediately to white schools.” (NYT 8-22-65, 49) Some Negro children were in the formerly white schools. Although their numbers had increased since the first few entered in 1963, their numbers were still small. At least there were no incidents like there had been in 1963.

The teachers’ organizations were *thinking* about combining. The National Education Association prodded both of them to remove racial clauses from their constitutions, but neither was quite ready to merge. Alabama, Mississippi, Louisiana and Georgia were the only states where the NEA affiliates were still two separate organizations. (BN 11-21-65, B3) Alabama

responded to the prodding on January 29 when it removed from the AEA constitution a clause restricting membership to white teachers, without any debate. However, its annual meeting in March was still held separately from that of the Negro Alabama State Teachers Association. (*BN* 1-30-66, 6; 3-13-66, 1; *SC* 2-5/6-66, 1)

Early in January Cathy Deppe returned to Illinois and I moved out of the Y. SCLC wanted to save money. Cathy had introduced me to a high school student who was deeply involved in our work. Mattie Smith's family was very supportive as well and wanted to do something for the project. They told her to invite me to move into their home at 1024 N. 5th St., which was a little further from the SCLC office than the Y. They didn't have a spare room, but instead gave me full use of their living room. I slept on the couch and kept my clothes in my suitcase but it was practically a private room. I don't know if they used it during the day when I wasn't there, but it was always empty of people when I arrived back late at night.

They were a lovely family and took very good care of me. The one problem I had was washing my long hair, a problem I was too embarrassed to tell them about. Their bathroom had a tub without a shower and the tub had a short, stubby spigot. I was used to washing my hair in a shower, and couldn't adapt to the tub. I could wet my hair by dipping my head into the tub water while bathing, but I couldn't rinse it properly that way. There was just too much soap in the tub water. Nor could I successfully stick the back of my head under that spigot stub. I had seen my mother wash her long hair in the kitchen sink, and when I was a small child that's where she had washed mine, but I didn't feel right asking the Smiths to let me use theirs for that purpose.

I shared my problem with one of the four white girls who worked in the SCLC office. I was the only white girl on the field staff. The office girls shared a room at the Gaston Motel, conveniently close to the SCLC office. Kathleen Rogan told me that their bathroom had a good shower and I should just go over and use it. She didn't give me a her key, or maybe they all shared a key which she didn't have. Whatever the reason, I went over to the Gaston Motel with kind of permission to enter someone else's room but without a key, wondering how I would talk the motel staff into letting me into a room that wasn't mine. I needn't have worried. When one of the room cleaners saw me lurking around, she assumed that I had misplaced my key and offered to let me into "my" room. She knew there were white girls staying in that room and figured I was one of them. She even got clean towels and a bottle of shampoo for me. I took a long, hot, luxurious shower and emerged with clean, wet hair. I did that week after week, whenever I needed to wash my hair.

Canvassing

Our primary job was canvassing the Negro neighborhoods to encourage people to go to the courthouse and register to vote. We preferred to pair up the northern volunteers with local people who knew the neighborhood and sometimes the neighbors. This was easier to do during the last week of December because the high school students weren't in school and those with jobs sometimes had the week off work. Local people and students were less available in January, so we couldn't always pair up. I preferred to work alone and, since I was staff I could do that. I knew that a lone white woman knocking on a Negro door would be viewed with suspicion so I loaded my coat with civil rights pins. I wanted anyone looking through a window or opening the door to know instantly that I was working for SCLC.

I found it best to stay in one neighborhood for a few days, because word went around. I might fill one car the first day, two the second, and three the third. Soon I was expected. On day one I would introduce myself and talk about registering to vote. By day three I was often greeted with, "Oh, you the lady Dr. King sent...." The hardest part was getting a ride for myself back to the office at the end of the day. White girls in otherwise black cars were not always welcome, even though the other occupants were mostly women. By day three it was a lot easier.

It was walking the streets of Birmingham trying to get people to register to vote that I learned the prime directive of political organizing: If you want people to do something, make it easy for them. Six months working in several southern towns taught me that it was naive to expect Negroes to jump at the chance to register to vote. While I heard Hosea and other SCLC officers chastise Negroes for apathy, there were real reasons why so few had registered over the years – actual costs in loss of jobs and homes as well as fear. Even though these costs had declined in the last few years with pressure from the civil rights movement and the federal government, and even though voter registration was called for by national and community leaders, inertia was a law of politics as well as of physics. Simply telling people the benefits of voting was not enough to get them to move. In order to turn apathy into action, one had to make it easy for them to do what you wanted them to do.

This was not a new idea; I'd been doing it for years without even knowing it. I learned it from working in the Democratic Party, not in student movements at Berkeley. I'd gone door-to-door for Democratic candidates since 1952. Initially I canvassed with my mother. In 1956, I did it on my own. I continued to canvass for candidates and do election day GOTV as a student in Berkeley even as I got involved in demonstrations called by the Bay Area Civil Rights Movement and the Free Speech Movement (FSM). I knew that if you wanted to maximize turn-out on election day, you arranged for rides to the polls, for baby-sitters and whatever else the voter needed. And, while you were doing all of that, you made sure each voter you helped knew which candidate had sent you to help them.

The Bay Area social movements I had been involved in did not need to do these things because they were riding waves of passion and anger. Successful social movements come in surges. After years of ploughing the ground, within a very short period of time, people feel the need for change very urgently, and the need *to do* something to bring about that change

immediately. The challenge of the FSM and the Bay Area Civil Rights Movement had not been to get people to do something, but to find something for them to do. These movements were usually overwhelmed with too many people looking for a way to participate. The organizer's job was to find things that needed to be done and match up tasks with people willing and able to do them.

Electoral politics required a different frame of mind, which I found more useful for the job I now had of getting people to register to vote. The task of political parties is to get their people to the polls on election day. Some people always voted, but quite a few got around to it only if it was convenient. These "slack voters" could make a difference in a close race. A good voter pulling operation identified the latter and made it easy for them to vote. Not just a knock on the door, but an offer of a ride to the polling place or to babysit the children often made the difference, as well as making the voter a bit more sympathetic to one's candidate.

Once I realized that I had to shift perspectives, I went from simply telling people that they should register and giving them the hours and location where they could do so, to asking them if they had a way to get to the courthouse and when they could go. Most only had public transportation but some had cars. When I found a driver at home, I asked him or her to take a group to the courthouse. If he or she said yes, I said what time do you want to go today? Once I had a commitment, however tentative, to drive a car, I started to fill it. The next person who said s/he would register I told about the car, and asked to be ready at the appropriate hour. When I filled a car I returned to the car owner to confirm. It was a lot harder to back out when s/he learned that neighbors were waiting for a ride. Slowly I filled the cars, and watched them drive off to get the riders registered.

Hosea had an intuitive understanding of the prime directive, though I never heard him phrase it as such. He realized that the easiest way to get more blacks registered to vote quickly was not to take them to the courthouse, but to take the registrars to the neighborhoods. Hosea repeatedly asked the Board of Registrars to go into the neighborhoods, only to be told that Alabama law didn't permit that.

Canvassing was only one of our jobs. One of us had to stand in the courthouse with the people waiting to be registered to make sure everything went smoothly. We watched to see that no one bumped the line, that those people who needed to leave the line to pee or get water got their place back, etc. We also took the names of everyone in line and noted whether they passed or not. Courthouse duty made for a very long day because SCLC rarely sent anyone to relieve us and a lot of the time there wasn't much to do besides wait. One day I cleaned the women's restroom in the courthouse. First I tried to get the custodial staff to do that only to learn that the cleaners came in at night. Then I tried to get mops and cleaning materials; I was turned down for those as well. The bathroom had plenty of paper towels and soap, so I used them to clean the sinks and toilets, plus a swipe at the floor. It took about an hour. Later, while standing outside the courthouse, I saw Mattie talking to a couple of her girlfriends. They kept looking at me, gesturing and occasionally giggling. Finally I walked up the steps and asked them what was so funny. Mattie hemmed and hawed and finally said that they had never seen a white girl clean a bathroom before and were surprised that I knew how to do it. Now it was my turn to laugh. Cleaning the bathroom was one of my childhood chores. I had found that courthouse ladies room

a lot easier to clean than ring-around-the tub.

During the three weeks of the Christmas project the Jefferson County Board of Registrars registered 6,345 Negroes and 934 whites. The biggest day was Saturday, January 8, when 809 Negroes and 48 whites became new voters. Still, eleven potential voters were turned away when the doors closed at 4:00. It was clear to us that the number of new Negro voters had to increase drastically in order to have an impact on the May 3 primary election. We needed the feds to send Federal examiners who would work longer hours and more days than the County Board was willing to stay open. Hosea told us that we had to go into the streets to put pressure for the feds to come in. (Belknap, 1991, 15:195)

Protesting in Birmingham

Hosea was a hammer looking for a nail. He believed that confrontation was the only route to progress. (Williams interview in Raines, 1977, 435) Consequently we didn't wait long to hit the streets. On Tuesday, December 28, we rallied in Kelly Ingram park before 250 of us walked the four blocks to the Jefferson County courthouse for another rally. We were demanding that registrars work there as well as in Bessemer that week. We also demanded federal registrars, night and weekend registration and neighborhood registration. We had a permit for the march. While we remained on the sidewalk, we ignored the stop lights so that our march line wouldn't be broken up. We often stopped traffic, which resulted in some nasty catcalls from inconvenienced white drivers. At the courthouse, we listened to speakers for an hour before dispersing. The march leaders were Rev. Edward Gardner, pastor of Mt. Olive Baptist Church, Rev. Abraham Woods, Jr., who until recently had pastored the First Metropolitan Baptist Church, and his younger brother, Rev. Calvin Woods, pastor of East End Baptist Church. They were among the dozen or so ministers in the ACMHR leadership. Rev. Fred Shuttlesworth remained President and regularly flew in from Cincinnati to lead marches, address the Monday night meeting, and, when he saw fit, take charge. (*NYT* 12-29-65, 18; 1-5-66, 11; 1-7-66, 57; *WP* 12-29-65, A4; *CD* 12-29-65, 5; 1-1-66, 25; *SC* 1-1/2-66 1, 6)

As I listened to the speakers demand more registration hours, I thought about how easy it was to register to vote in California. Any registered voter could become a "deputy registrar" and register anyone eligible by filling out a form supplied by the State of California. When the deputy registrars turned in those signed forms to the County Clerk, the deputy was paid 25 cents for each properly filled out form. This was a lot cheaper and easier than the system used by the state of Alabama. State law required that two of the three members of the county Board of Registrars be present during each registration, though they could hire clerks to do the actual work. This limited registration sites to one place in the county at any given time. In California, a much greater percentage of the VAP was registered because so many private parties did the work. Usually political clubs, good-government groups, and candidates for public office ran registration drives in advance of an election, setting up card tables on sidewalks, at street fairs, and in shopping centers. I told Hosea how well this system worked in California; we should ask for something similar in Alabama. He dismissed the idea as completely unrealistic. He said that would require a change in the Alabama Constitution; to do that the movement would first have to take over the Alabama government.

Hosea wanted federal examiners to come into Jefferson County and register as many Negroes as possible so they could have an impact on who would be elected to office this year. He thought that publicity generated by mass demonstrations was the way to do it. On Monday, January 3, he and several representatives from different voters groups (mostly ACMHR leaders under other organizational names) met with the Board of Registrars. They asked that the Board hold registration sessions from 6:00 to 10:00 p.m. in addition to the usual hours of 8:00 a.m. to 4:00 p.m. but were turned down flat. Indeed the Board chairman said he would resign before he would permit night sessions. He had already hired six extra clerks and thought that the two extra days a week for the month of January, with one on Saturday, was sufficient to meet the need. Jefferson County had registered 11,196 Negroes since the VRA had passed, increasing Negro

registration by a third. It had also registered 2,250 whites, or 1.4 percent of the white total. The Board chairman insisted that “We are doing everything possible to accommodate them.” (*BN* 1-3-66 4; 1-4-66, 7; Belknap, 1991, 15: 193-5) Hosea denounced this to the press: “In Bessemer last week we carried more than 4,000 Negroes down to the registration office, and the delaying tactics and inadequate facilities of the Board resulted in the registration of only 2,425.” He added that “many Negroes gave up attempting to register after standing in line up to five hours.” (*CD* 1-6-66, 29)

We marched again a week later and kept marching all week. We marched in the afternoon and again at night, usually starting from Kelly Ingram Park, though sometimes we left from St. James Baptist Church. While only going a few blocks to the courthouse or to city hall, we generally stayed on the sidewalk, though our march line often crossed against the lights. Occasionally we were threatened by white youths, or car drivers, but nothing serious happened the first week. Unlike 1963, the Birmingham police gave last minute permits rather than try to stop the marching and discouraged the whites who wanted to take out their anger on us. However, also unlike 1963, our numbers were small, usually between one and two hundred and sometimes less than that. Not only was there a new group running city hall which gave the police different leadership than had Bull Connor, but our group of marching Negroes just wasn’t very threatening. The weather didn’t help; a cold drizzle accompanied most of our marches. Sometimes Hosea led the marches and sometimes Shuttlesworth did. Both tried to compensate for the cold weather with hot rhetoric, but if either thought the Birmingham police would recreate the atrocities of 1963 they were disappointed. The cops weren’t co-operating. (*NYT* 1-5-66, 12; *LAT* 1-9-66, 23; *CD* 1-6-66, 5)

While our marches seemed puny to us, some thought they were threatening. On Friday, January 7, the Sheriff and Police Chief told the Mayor and City Council that we were creating an “explosive situation.” They suggested that a delegation be sent to Washington to ask Katzenbach and LBJ to get us out of Birmingham. Instead they met with business leader A.G. Gaston, attorney Arthur Shores and other “responsible Negro leaders” to ask them to speak out publicly against our marches. (FBI-LBJ, 1-11-66)

The 1963 marches had not had much impact until SCLC brought in school children. By the end of the first week in 1966, Hosea was ready to try that again. Thursday’s night march was augmented by several dozen grade school children, as were the marches over the next few days. Hosea asked them to go home and tell their parents to be sure to register to vote. These marches took place after school and never exceeded three hundred people. Hosea led two marches and rallies to City Hall on Monday. (*BN* 1-7-66, 6; 1-8-66, 9; 1-9-66, 12; 1-10-66, 7; 1-11-66, 1, 3)

That changed on Tuesday, January 11. Early that morning five staffers went to Parker High School, a four-year school at 900 4th St. N., just a few blocks from the church where we met each morning. They wanted to get the students out of the school and into the streets. With over 3,000 students, Parker was the largest high school for Negroes in the country. When it opened in 1900 with one teacher – Mr. A. H. Parker – each of its 19 students had to pay \$1.50 a month to attend. The school was renamed in 1939 after Principal Parker retired. Many Parker High students had marched in 1963, along with their younger brothers and sisters. The freshmen of 1963 were seniors in 1966; those that had marched then knew what to do and those that hadn’t

were eager for their chance to be a part of history. (Brown, 1959, 35-8; http://bhamwiki.com/w/A._H._Parker_High_School)

Indeed some students were so eager to be a part of history that they did not wait for Tuesday. Kids from Brighton high school, a separate town just west of Birmingham that was 60 percent Negro, marched four miles south to the Bessemer Courthouse on Monday. Officially, 667 Brighton students skipped school that day out of a total enrollment of 968, though not all marched. They also brought students from other schools into their march. Earlier that morning a group of teenagers had entered a grammar school in Ensley, just inside Birmingham's western boundary. After they marched through the hallways shouting "Freedom, Let's Go" most of the children left. Once outside they had no place to go, and eventually drifted back inside the school. (*BN* 1-10-66, 7; *Jefferson Co. Bd. of Ed. v. Williams*, 1966, 132; *112 Cong. Rec.*, January 20, 1966, 860)

The SCLC staff that entered Parker on Tuesday morning did something similar, except that they were going to march the kids to City Hall. When Parker's principal asked them to leave, they did, but they didn't go far. By then the students were aroused and took things into their own hands. When faculty tried to keep them from leaving, some climbed onto the roof of the building and began throwing things at the quickly summoned police. Parker students took down a section of the chain link fence that separated the school yard from the street so the students could get out. Hundreds poured through the opening. Staff gathered them together, and marched them to city hall, followed by police cars. At least three white drivers attempted to go through the lines at intersections, but march marshals blocked them from doing so. (*BN* 1-11-66, 1,3; *NYT* 1-12-66, 19; *CD* 1-13-66, 3)

Eddie Sanders and Marie Nix went to Western Olin High. They got inside but not for long. When two teachers tried to push them out, they went limp. After the teachers carried them outside and dumped them on the ground they stayed and sang freedom songs for over an hour. The police finally showed up and arrested them both. They were charged with trespassing, though the arresting officers did not observe them inside the school. Brighton students tried again to march to Bessemer. When they were stopped by the cops at the bridge, they lay down on a four-lane highway for about half an hour before dispersing. That day a third of the Brighton students stayed out of school. (http://www.bhamwiki.com/w/P._D._Jackson-Olin_High_School; *BN* 1-12-66, 8; 1-13-66, 2; *Jefferson Co. Bd. of Ed. v. Williams*, 1966, 132)

Tuesday night Hosea led a few hundred people on a march to the courthouse. At the rally he announced that tomorrow (Wednesday) would be "Freedom Day," He said students should take a holiday from school to demonstrate for faster registration of voters – whether by the Jefferson County Board of Registrars or by the feds. "Don't go into the schools," he told us. "Turn the schools out from the outside." He told everyone to come to St. James Baptist Church at 9:00 in the morning and to be prepared to shut the city down. (*NYT* 1-12-66, 19)

Wednesday was mild after Tuesday. Eddie Sanders and Billy Harris started at Western-Olin High School in Ensley. The few students who left were taken to the First Baptist Church in Ensley to await rides downtown. Next, Eddie and Billy went to Parker where they entered the classrooms and told students to get out of the school and into the streets. Eddie got

into an argument with the principal, but no one called the police. Some students left, but not as many as on Tuesday. I was one of half a dozen staff dropped off at Hayes High School near Messer Airport Highway in Avondale. Hayes was Birmingham's newest Negro high school, having opened only in 1960. I felt very uncomfortable walking into classrooms and disrupting them to tell students to leave the school, but I did it. I had no idea what they would do if and when they left because Hayes wasn't close to downtown and we had no way of getting them there. It would have been a very long march. We left after about half an hour and waited across from the school for cars to pick us up. I don't remember if any students came out with us; if they did, I don't know where they went. I didn't see any police, but someone must have called the press because a CBS camera crew was filming us. (*BN* 1-12-66, 1; 1-13-66, 2; *NYT* 1-13-66, 18; *CD* 1-13-66, 3; Brown, 1959, 43-4; http://www.bhamwiki.com/w/Hayes_High_School)

Wherever they came from, about 500 Negroes and a handful of whites made it to downtown Birmingham. Early that afternoon, we left St. James Baptist Church and marched through the streets to Kelly Ingram Park, City Hall, the Courthouse, then back to the Park and the church. This time we marched in the middle of 20th St, which was Birmingham's main street. Since our line was about two blocks long, we blocked a lot of traffic. Occasionally we stopped for several minutes to kneel and pray. This was just long enough to irritate the drivers who could not pass and the police who wanted us to move along, but not long enough for the police to bring sufficient reinforcements to remove us from the streets. Press were present, but they didn't see much to write about, let alone photograph. The cops had learned from 1963 not to create incidents that would result in national publicity that would make Birmingham look bad. (*NYT* 1-13-66, 18; *CD* 1-15-66, 2; *BN* 1-13-66, 2)

Over 250 Brighton students were turned back when they reached the bridge into Bessemer. After a confrontation that lasted under an hour they went to the First Baptist Church where they waited for cars to take them to the Bessemer courthouse. There they continued demonstrating. (*BN* 1-12-66, 1)

Students and cops clashed again on Thursday, sending ten to jail and more to the hospital. In the morning we met the buses arriving at the Negro high schools in order to talk the students into coming with us rather than going to class. Sometime after noon staff and several hundred students left St. James Baptist Church and marched around the downtown area, led by Rev. Shuttlesworth and other ACMHR ministers. To keep the cops busy, we divided into three different groups. This time we didn't stop to pray in the middle of the streets. We sat or stood in all four crosswalks at different intersections, circling the intersection and blocking all traffic. (*BN* 1-13-66, 2; 1-14-66, 4) Police waded in with batons, shoving and dragging people to the sidewalks, causing bruises, cuts, sprains, and a couple broken bones. Later 20 demonstrators – ranging in age from 9 to 36 – were taken to the hospital, though only Eddie Sanders was admitted and only after his second visit.

The cops were so focused on removing us that they didn't see the driver who stepped on the accelerator as he sped toward us. I was standing on the white line right next to his lane and had a clear view. Alphonso Harris and one other staffer stepped into the lane and sat down, to show the driver that if he didn't stop, they could not move in time to avoid being hit. They were protecting the students who were clustered in the crosswalk. I wanted to follow the guys into the

lane as the car sped towards us but my feet would not move. "Sit down," yelled the voice in the back of my head. "GO SIT DOWN." My feet would not obey. There was a complete disconnect between my feet and my brain. Frozen, I watched in horror as my mind raced over the possibilities of what might happen. I saw no fear on the faces of the two staffers; only grim determination. Whatever the white driver was thinking, he must have realized that hitting those guys would not be good for him. He stopped within inches of touching them. His side mirror grazed me as the car went by. Everyone who was still on their feet jumped on the car, yelling at the driver. He was rescued by the police. (CT 1-14-66, C1)

About 300 students from Brighton finally reached Bessemer by car. Once inside the town limits the police allowed them to march to the courthouse in pairs that were ten feet apart. This created a very long march. After speeches at the courthouse, they sat in the street blocking an intersection for about 45 minutes. Two cars driven by whites tried to crash the line. This prompted the police to disperse the demonstrators with billy clubs. (CT 1-14-66, C1)

Pulling students out of school for street demonstrations galled the city even more than blocking traffic. Both city and county schools were paid from state funds based on daily attendance. Every day a student was out of school cost the school system a little over a dollar a head. Complaining that the demonstrations were costing them \$500 a day, the school boards for both the city and county went into federal court on Thursday and Friday to get a temporary restraining order (TRO). The named defendants were SCLC, Hosea Williams, Leroy Moton, Andrew Marrsette (sic), Edward Bedford, William C. Harris and Charles M. Garrison. Hosea was the man in charge; the rest were just staff. None of the ACMHR leaders were listed as defendants. They were just as active in leading the demonstrations as SCLC but we were the ones pulling kids out of class. Judge Grooms signed the TRO on behalf of all three Northern District judges. It said we could not induce students to leave school and couldn't even allow them to participate in demonstrations during school hours. (CA Nos. 66-24, 66-26; 112 *Cong Rec.* 859-63, 1-20-66; *BN* 1-14-66, 1; *LAT* 1-14-66, 10; *WP* 1-15-66, A2; *Jefferson Co. Bd. of Ed. v. Williams*; *Birmingham Bd. of Ed. v. SCLC*)

Despite being served with one TRO Thursday evening, we marched that night and again on Friday right after Shuttlesworth was served with a second TRO. Indeed at Ullman – Birmingham's second oldest high school for Negroes, located on its south side – students did the "pulls" for us, to the consternation of the principal and the police. Sometime after noon about 350 of us marched from St. James Church. This time only about half of the marchers were students. We walked in pairs and obeyed the traffic lights. Strung out over three blocks, we managed to snarl traffic anyway. We stopped in the park in front of the courthouse to listen to Rev. Shuttlesworth. After he left to catch a plane for Cincinnati we returned to the church. (http://www.bhamwiki.com/w/Ullman_School; Brown, 1959, 42-43; *BN* 1-14-66, 1; *WP* 1-15-66, A2; *NYT* 1-15-66, 28)

We also marched Saturday afternoon, despite a freezing drizzle. Hosea had said we would march every day, and that's what we intended to do, even when we were down to only a few dozen bodies willing to march in the rain. During our short march from Kelly Ingram Park to City Hall we did not break any traffic laws. Hosea spoke briefly before leaving for Atlanta while we retreated to someplace warm. (*WP* 1-16-66, A6)

During the three weeks of the Christmas project the Jefferson County Board of Registrars registered 6,345 Negroes and 934 whites. The biggest day was Saturday, January 8, when 809 Negroes and 48 whites became new voters. Still, eleven potential voters were turned away when the doors closed at 4:00. It was clear to us that the number of new Negro voters had to increase drastically in order to have an impact on the May 3 primary election. We needed the feds to come in and work longer hours and more days than the County Board was willing to stay open. Hosea told us that we had to stay in the streets to keep the pressure up for the feds to come in. (Belknap, 1991, 15:195)

SCLC thought it best to obey *federal* court orders. During the Selma demonstrations Dr. King had declined to violate Judge Johnson's TRO forbidding a march over the Edmund Pettis bridge to Montgomery until after a hearing could be held. Accordingly, Shuttlesworth said the TROs would be obeyed even while they were being contested. On Tuesday, attorneys Orzell Billingsley and Peter Hall filed a motion asking the federal court to dissolve the TROs, arguing that the right to demonstrate was protected by the First Amendment. A hearing was scheduled for Monday, January 24. (BN 1-14-66, 1; 1-18-66, 2)

While waiting for that hearing Hosea and Shuttlesworth did not violate the TROs, but they certainly skirted their edges. Hosea said that the kids were to stay in school. That didn't mean that they couldn't march *after* school. On Monday, January 17, there were *three* marches. A little after noon, Ben Clarke led a few dozen people from Kelly Ingram Park to City Hall and back by a very circuitous route. There were a few high school students among the marchers. Late in the afternoon, he and Alphonso Harris led another one. This time they stopped in front of City Hall long enough for Ben to preach a little. That night's mass meeting was at the A.O.H. Church of God, just north of Kelly Ingram Park. Since Monday was the weekly meeting of the ACMHR, Shuttlesworth flew in to be the chief speaker. He and Hosea both denounced A.G. Gaston, who had released a statement the previous week deploring the "invasion of our schools to enlist students for demonstrations during school hours." Prominently displayed on the front page of the *Birmingham News*, Gaston's statement garnered lots of attention and Hosea's fury. (BN 1-14-66, 1; WP 1-16-66, A6; 112 *Cong. Rec.*, January 20, 1966, 861) A committee of 21 persons from ACMHR and SCLC sent him a polite request to withdraw his "misleading" statement. When he didn't, Hosea went into attack mode. At the rally, Hosea repeated his earlier statement that all Negroes should cancel any insurance policies with Gaston's companies and take all their money out of his bank (Citizen's Federal Savings and Loan). He finished by saying that anyone with the movement who was staying at the Gaston Motel should move out. (NYT 1-16-66, 68)

I was intrigued that in all of the newspaper stories Mr. Gaston was called Dr. Gaston. I had always been told that Dr. was title of great distinction, to be used only for those who had earned an M.D., a D.D.S. or a Ph.D. As Alabama's only Negro millionaire Mr. Gaston was a man of great distinction, but as a businessman, not as a learned man. He had left school after the tenth grade and I hadn't read of any honorary degrees. Was the use of "Dr." just a way to avoid calling him "Mr." or did the South, white and black, equate money with learning? The *Birmingham News* now used "Mrs." for Negro women but still called A.G. Gaston "Dr." rather than "Mr." I never found anyone who could tell me which it was so it remained a mystery.¹

¹ Rep. John Buchanan (R. AL) entered Gaston's statement into the *Congressional Record* as

A “Committee of 12 Birmingham Negroes” issued its own declaration in support of the demonstrations. It said the “insufficient” actions of the Board were taken only after demonstrations were threatened. These “[d]emonstrations reflect the dissatisfaction of Negroes and fair-minded white citizens with the failure of the Board of Registration to aggressively and adequately register all unregistered persons; the failure of the city to employ Negro policemen; the lack of Negro personnel in gainful positions in municipal and county agencies; the failure to appoint Negroes to the Board of Education...” etc. The ACMHR was well represented among the 12 signatories, but not SCLC. It was an attempt to offset the impression that Mr. Gaston represented widely held views among the responsible Negro leadership of Birmingham. (*BN* 1-18-66-6) The *Birmingham News* published this declaration, but followed it three days later with more statements by “Negro business and professional men and women” concurring with “Dr. Gaston.” (*BN* 1-21-66, 2)

After the injunctions were issued, police waited outside the Negro high schools on school mornings to see if any of us showed up. That’s why Issac Mitchell and Andrew Marrisett were arrested outside Brighton high school Friday morning even though they weren’t doing anything. Just being there was enough. We were careful to stay away from the schools after that, but sometimes a few students hung around outside past the opening bell waiting for us to show. If anyone identified them, they soon had to face the principal. We still wanted – needed – the students to fill our march lines, but we held our marches after school was out.

Hosea continued to denounce Mr. Gaston for being a Tom, and by implication, those Negroes who were quoted in the newspapers as agreeing with him. On Tuesday he marched us through the courtyard of the Gaston Motel and on Wednesday he said we would picket all of Gaston’s enterprises. We were already picketing Stanley’s Café. It was a Negro eatery, but two of our white volunteers had been asked to leave when they entered to talk to customers about going to register. The next day ten of our teenagers were walking out front with signs.

Hosea wanted local groups to take over the canvassing, but in January it was still being done mostly by Northern white volunteers. There was a regular rollover as some of the northern volunteers returned to school and others arrived to spend their winter break registering voters. Occasionally students were accompanied by a professor from their school. Those students didn’t get involved in the demonstrations; they just canvassed. A few non-student whites showed up who had read about the demonstrations. They came for the action and didn’t want to canvass. Hosea just assumed that whoever was there should do what they were told to do, so there was an occasional tiff over who was willing to do what.

We continued to march the next week but only after school hours. Sometimes we marched both in the late afternoon and late evening, returning to a church after 10:00 at night. Our numbers ranged from 100 to 300; they were mostly kids in the afternoon and adults in the

part of a lengthy extension of remarks denouncing the “riotous demonstrations” led by Hosea Williams. Here he is referred to as “Mr. Gaston” while the state NAACP leader who was also a dentist is called “Dr. Nixon.” 112 *Cong. Rec.*, January 20, 1966, 859-63.

evening. (BN 1-18-66, 2) We started having trouble getting churches to meet in so sometimes we used Kelly Ingram Park as our base. This presented problems because it was winter. It was hard to hold a crowd when they had to shiver in the cold to listen to our speakers. People would march in the cold but didn't like standing in the cold.

SCLC sent members of the Executive Committee from Atlanta to see if they could generate more enthusiasm. Dr. Robert Green, SCLC's new Education Director, spoke on Tuesday, Jan. 18, and Ralph Abernathy on Wednesday. Both spoke at St. John's AME Church. Dr. Green and Rev. Abernathy met with community leaders during the day to drum up support. They said Dr. King would be in Birmingham the coming Monday to lead the protests. The number of Negroes going to the courthouse that week declined slightly while the number of whites climbed. When I heard Dr. King was coming I thought that maybe this would be my chance to get a decent photograph. I hadn't been able to do so at the SCLC convention because my Brownie Bulls-eye camera couldn't capture a speaker from any distance or in a dark room. Perhaps Dr. King would meet with staff separately or I could persuade Hosea to let me get in front of the march Dr. King would be leading so I would be close enough to get a shot.

Fighting the Feds

Well before we started the street demonstrations John Doar was working to get federal examiners into Birmingham while the local authorities were working to keep them out. On December 14, the same day the *Birmingham News* reported Dr. King's announcement of the Christmas project, that paper also published an interview headlined "Doar threatens to send federal registrars here." Expressing his dissatisfaction with the speed of Negro registration, Doar said that if local boards did not make a "genuine effort to comply" he would have "no choice" but to send in the feds. (*BN* 12-14-65, 16)

Doar was already talking with Jefferson County officials. He elaborated on his position in an eleven page letter to District Attorney Earl Morgan, dated December 31. Morgan responded a week later with a six page letter of his own outlining all the things the Board of Registrars was doing to move things along. This included the hiring of 15 additional clerks (including two Negroes), and the addition of Friday and Saturday to the three days a week in which voter registration already took place. He added that "the possibility of federal registrars being sent to Birmingham is still a matter of gave concern to the people here and is made more so by the demonstrations led by these professional people like [Hosea] Williams... [T]he sending of federal registrars to Birmingham ... would be detrimental to all of the people of this city, both whites and negroes." (Belknap, 1991, 15:241-256)

The war of words between the DoJ and Jefferson County took place publicly as well as in private letters and phone calls. Attorney General Nicholas Katzenbach was invited by three Negro organizations in Mobile to speak at their annual Emancipation Day commemoration. Addressing an audience of about 4,500 on Sunday, January 2, Katzenbach told them that federal examiners would be sent into any county that did not "register qualified Negroes fully, freely and conveniently," – by which he meant pretty much everything the movement had asked for, extra registration days, more workers, evening hours and precinct registration. In spite of his low-key speaking style, his words evoked frequent applause and two standing ovations. Of the handful of whites present, the most important was Alabama Attorney General Richmond Flowers, who sat on the stage with A.G. Katzenbach and local Negro leaders. His presence symbolized his agreement with the DoJ's position that local registrars should make up for all the years of exclusion by ready accommodation to the needs of those wishing to register to vote. He too got a warm reception from the assembly, which was the biggest political meeting of Negroes in anyone's memory. (*SC* 1-8/9-66, 1; *BN* 1-3-66, 2; quote in *NYT* 1-3-66, 25)

A week later city and county authorities appeared to respond to federal admonitions. Prominently displayed on the front page of the *Birmingham News* for January 11 was the headline "Equal rights but with equal responsibilities." Underneath was the complete text of a lengthy statement released by the Mayor, the President of the City Council and the three members of the Jefferson County Commission. It said:

In order to make voting participation possible as rapidly and practically as possible, the Jefferson County Board of Registrars has completely fulfilled its

obligations, both moral and legal.

Its efforts to accommodate those who wish to register as voters are now limited only by the physical requirements of state laws which may not be abridged except by due process of either legislative amendment or court orders.

This was followed by six paragraphs on how ordinary it was for people to stand in line for the many things they wanted or needed. Then came the one paragraph the DoJ wanted to see:

We believe that it is the right of any qualified citizen to participate, as a voter, in government. We believe that under existing laws the exercise of that right cannot be limited by race, color, religion, sex or national origin.

The rest of the statement was a paean to law and order – a not-so-subtle criticism of the previous week's demonstrations, which had not yet disrupted schools or traffic when the statement was written. That had already changed. On the other side of the front page, in the lower right-hand corner, the headline read "Negro students hurl rocks, bottles at police, onlookers."

The city got its answer later that day. In his January 2 speech, the A.G. had said he was sending letters to all 518 registrars in the states covered by the VRA "explaining in considerable detail our view of their responsibilities concerning access." The letter that arrived in Jefferson County on Jan. 11 said that "prospective voters should [not] have to wait one to five hours, or any time at all, to register." Doing business as usual was not acceptable. The DoJ also sent letters to voting officials in every county and precinct covered by the VRA "explaining to them their duties and our duties under the act. (*BN* 1-3-66, 2, 1-13-66, 1; *NYT* 1-3-66, 25)

On the surface it appeared like the battle over whether federal examiners should come to Jefferson County had begun in December, but in fact it had been going on for months. In Doar's memo of July 22 to Katzenbach, Jefferson County had been at the top of Alabama's Group B list – counties to which federal examiners should be sent within ten to fifteen days after the VRA was signed. The Alabama NAACP, which had run a voter registration campaign throughout the summer, had also been pressing for federal examiners. Its president, Dr. John W. Nixon, had telephoned President Johnson and written A.G. Katzenbach the previous August. He talked to Katzenbach personally when they were in Mobile on January 2. (*BN* 1-21-66, 5)

As 1966 rolled in, federal examiners were working in only three of Alabama's eight Group B counties. Whatever the reasons for holding back, Doar was looking for an excuse to send the feds to Birmingham. As he wrote the A.G. on January 20, "we have followed this county closely to determine what efforts the local board of registrars and the other local officials were making to correct the effects of past violations of the Fifteenth Amendment. In this respect, Jefferson County is different from any other county in the South because it has such a substantial number of unregistered Negro citizens and because the next significant state-wide election follows so closely (nine months) after the passage of the 1965 Voting Rights Act." ... "We are in the position where if we do not act now, time will run out because the examiners will have to certify all lists to the local officials on or before March 19th." (Quotes in Belknap, 1991, 15:257-259)

Doar's memo observed that three registration days a week, with three days each month in Bessemer and one day in Fairfield, did not meet demand. On August 18, the first registration day after the VRA was signed, 430 Negroes and ten whites were registered but a larger number were turned away when the doors closed at 4:00 p.m. The Board Chairman told the *Birmingham Post Herald* in mid November that 400 a day was "all we can handle." In past years when demand was high, such as the months before a highly contested primary, the Board had added days and clerks to get everyone registered. Of course, in the past all but a handful of those wanting to register were white. In December the Board added two extra days a week and hired additional clerks but that did not satisfy the DoJ because "persons were left waiting when registration ended on four of those days." (Belknap, 1991, 15:185-7)

The Dept. of Justice heard it from both sides. While Birmingham officials were arguing that they could handle the demand, SCLC was insisting that they couldn't. After Hosea and ACMHR leaders met with the chairman of the county Board of Registrars on January 3 they sent a 450 word telegraph to Katzenbach claiming that the Board was "scheming" to avoid compliance with the VRA. Hosea threatened "massive, non-violent ... demonstrations" until the feds came in and took over. (SC 1-8/9-66, 1)

The "people of this city," got federal examiners. Doar wrote a lengthy justification memo for the A.G. on January 17, describing the long history of obfuscation to keep the registration of Negroes to a minimum. He went on to say that since the VRA was passed, "the Board has not provided sufficient registration facilities to correct the effects of the discrimination." Referring to the many complaints the DoJ had received about "the slow rate of processing for Negroes," he reviewed the many times in which "the Board adjusted its procedures to accommodate large scale registration for white persons." But, he added, "we have been unsuccessful in persuading the Board to provide adequate access for mass Negro registration..." (Belknap, 1991, 15:182-7) The Attorney General officially certified the appointment of federal examiners to Jefferson County on January 20, but did so too late in the day to make the evening newspapers. It was on Friday, January 21 that the headlines shouted "Examiners to open 3 offices" and "Decision bitterly resented."

Katzenbach said the demonstrations played no part in his decision. "The issue was the availability of the chance to register" he told the *Birmingham News* a few days later. He emphasized the long lines of people waiting to register and the especially large numbers who came to register on Saturdays. Since there were only ten weeks left before registration closed two weeks before the May 3 Democratic primary, the Board should have made night and neighborhood registration possible in order to maximize the opportunities for citizens to become voters. At best it averaged about 2,000 new registrants a week after it added two more days a week and five more clerks. At that rate only 20,000 of the 74,000 unregistered Negroes and 100,000 unregistered whites could register in time for the primary. (Katzenbach interview, *BN* 1-23-66, 1, reprinted in 112 *Cong. Rec. Appendix*, February 3, 1966, A525)

Alabama officials were quick to denounce the decision. The Mayor said it was a pre-emption of local government sovereignty. The District Attorney said it was an insult to "the good people of Jefferson County." The President of the County Commission lamented that the

feds would register anyone, even illiterates. He thought it the worse usurpation of local government “since the dark days of Reconstruction.” Representative James D. Martin (R. AL) called for a Congressional investigation and Katzenbach’s resignation. Even Alabama Senator Sparkman weighed in, saying he would do all he could to stop the feds from coming into the biggest city in his state. (quotes in *BN* 1-21-66, 2; 1-22-66, 2; 1-25-66, 1)

The Alabama NAACP President also said “demonstrations did not bring the registrars.” While naming many others, Dr. Nixon claimed major credit for his organization. (quote in *BN* 1-21-66, 5) Hosea saw it otherwise. He thanked the people who had marched for bringing in the feds. SCLC held a small victory march on Friday and celebrated its victory at a meeting Friday night. (*SC* 1-29/30-66, 5; *BAA* 1-29-66, 1) I missed them both, because I was in jail.

Birmingham Jail

There was a little alcove in the hallway of the courthouse where I sometimes sat and read when I had to spend the day at the courthouse. It's hard to stand all day, especially when there was nothing to do. There were no seats in the hallway and it was too cold to go outside and sit on the steps. I sat on the floor, crossed my legs and spread my full skirt over them, putting my reading matter in my lap. I could see the line from where I sat; when it had moved substantially I'd get up, check things out and take the names of the new additions. January 21, a Friday, was my last day. The night before the Justice Department had announced it was sending federal examiners to Birmingham because the Board of Registrars wasn't doing the job fast enough. That was on the nightly news and in the morning headlines. I had been quietly reading for less than five minutes when two hefty sheriff's deputies grabbed my arms and lifted me to my feet. They told me that I was under arrest but wouldn't tell me why. One of the local kids that I knew watched all this from a few feet away, so I told him to go to the SCLC office and report what he had seen. Motioning to my purse still on the floor where I had sat, I told him to take it. I saw him exit the courthouse with my purse under his arm as the police led me down the hallway and into an elevator.

In the elevator I asked the deputies why they had arrested me and what I was charged with but they said nothing. When we exited I was taken to the booking room where I was printed and a mug shot taken. They asked me a lot of personal questions which I answered truthfully. Having been booked three times in California, I knew the routine. Where they broke the routine was when they took me aside and stuck a syringe with a dark liquid in it into my arm and pumped it in. I asked what that was and was told it was penicillin, in case I had VD. They didn't ask me if I was allergic to penicillin. Many people are. Fortunately I'm not one of them. I was body searched by a female officer and given a denim jail dress to put on. I was told I could keep my underwear, socks and shoes. No one told me what I was charged with or when I would be arraigned. I was just a piece of meat being pushed through the system.

At some point I asked to make my phone call. I had heard that all those arrested had this right. We hadn't exercised it in California because there really wasn't any need; we had lawyers and an outside support system at all our demonstrations ready to bail us out as soon as possible. While I hadn't been arrested outside California, it seemed that SCLC had bailed out those arrested in the recent street demonstrations pretty quickly. I assumed that would also be true for me, if that kid who took my purse actually went to the SCLC office and told them that I had been arrested. I never got to make my phone call.

The jails were segregated by race as well as sex. I was put into a day room with two other white women. I learned from them that I was in the Jefferson County jail. The Birmingham City jail where Dr. King had written his famous letter in 1963 was someplace else. This day room wasn't much different than the one in San Francisco except that it was smaller. It had heavy gray metal bars, a couple of metal tables with benches and open toilets with no privacy. The two women wanted to know what I was in for. While I still didn't know what I was charged with, I did tell them what I was doing. One was instantly hostile; the other wasn't. The first woman didn't want to talk to me once she found out I was a civil rights worker; she

wouldn't even sit at the same table. The other was curious. Helen White told me her story and I told her mine. She was in jail for adultery, having been arrested almost six months earlier while walking down the street. Her husband had filed the charge. She hadn't been out since, having been tried and sentenced without a lawyer and without ever leaving the county courthouse.¹

That night we were put into separate cells. As best I could tell, the white women's section of the jail had half a dozen cells, all off of a long hallway. Across the hall was an outside wall, with an occasional window in it. You couldn't see much from the jail cell besides skyline. Each cell had two bunk beds, which were metal plates attached to the walls. The plates had about a one inch lip to hold the mattress in place. In the 3-4 feet between the foot of the metal plates and the bars of the door there was a toilet, sink and raised table on one side and a heat source on the other. The heat source was a vertical metal plate with holes in it; I don't know what was behind that plate. A food tray could be pushed through a slot in the front bars onto the tiny table. The sink was barely big enough for drinking water and washing hands. The toilet had no seat. There was no place to sit in this cell. There wasn't enough space between the top and bottom bunk beds or between the top bunk and the ceiling to sit up straight. You could only lie down. The toilet edge was too uncomfortable to sit on for longer than necessary to eliminate body waste and the raised table was too high and too small. One ate from it standing up. These cells were only intended for sleeping and eating; the day room was for the other 16 hours.

I was given a blanket and sheet and went to sleep, still not knowing what I was charged with or if anyone at SCLC even knew that I had been arrested. The next day after breakfast the other two women were led from their cells to the day room. I was not. Instead, the matron took my mattress and bedding out of the cell. She told me that I had to stay in confinement in order to teach a lesson to "you nigger lovers." An hour or so later three young Negro women wearing jail dresses came down the hallway with brooms. All the cell doors except mine were opened so that they could sweep out the cells. Even in jail, Negroes had to clean up for white women!

This happened every day. At one point I asked for a broom to clean my own cell, but the matron said no. Dust bunnies accumulated on the floor. I could crawl along the floor and blow them out of the way, or sweep them with my hand, or sit with them. Mostly I sat. Since I couldn't sit on the metal bunk, the toilet or the raised table, I sat on the floor, generally curled up next to the heat source to stay warm.

¹ The 1963 Supreme Court ruling that counsel must be provided to indigents only applied to those charged with felonies. In 1972 it was expanded to cover any case with a potential sentence of imprisonment. In 1966, Alabama law provided that adultery between members of the same race was a misdemeanor while that between members of different races was a felony. Ironically, if Helen's paramour had been a Negro, she would have been charged with "felonious fornication" and entitled to counsel. But once convicted, she would have done her time in state prison, not a county jail. We would never have met. *Gideon v. Wainwright*, 372 U.S. 335 (1963), *Argersinger v. Hamlin*, 407 U.S. 25 (1972)

My first day behind bars I decided to fast, partially because I had heard that Dr. King did this when he was arrested and partially to protest my confinement to one cell and the absence of a mattress to sleep on. My fast ended as soon as the next meal was pushed through the hole. Not that I couldn't go without food; I had done that plenty of times. What I couldn't handle was the lack of stimulus. There was nothing to read, no one to talk to, nothing to look at, and nothing to listen to, except the twice-a-day passage of the other women to and from their cells and the once-a-day cleaning by the Negro women. Food was the only relief. I could handle physical hunger, but not stimulus hunger. So rather than stare at the food without touching it, I played with it. I stretched out its consumption as long as I could. I also stared out the window. I couldn't see anything move during the day but at night I could see the flashing lights from the YMCA. Each letter flashed separately, then all together: Y - M - C - A - YMCA. I stared at that flashing sign for what seemed like hours, even though I had to stand practically on my toes to see it. I also did a lot of pacing of the narrow aisle between the bunks to the barred door.

Hoping to break the boredom with something I asked one of the matrons for a Bible. It would give me something to read. Surely these good Christians would give me a Bible, I thought. No, they wouldn't. I also asked for paper, though I didn't tell them that I had found a pencil in the pocket of my jail dress. That refusal didn't surprise me. I took some toilet paper and when no one was looking crouched over the hi-rise table and slowly wrote letters to my friends. Writing on toilet paper without tearing it is not easy. However, toilet paper has a normal use, and I soon ran out. When I asked the matron for more toilet paper she said no to that as well. As far as she was concerned I could just soil myself. The next time Helen White passed by my cell on the way to hers, I whispered to her that I needed some toilet paper. When she passed that way again, the next morning, she cautiously threw some through my bars. I hid it in the jail dress pocket. Although I was cautious about my letter writing, someone must have seen me doing something because a matron came to my door and stood there watching me with an accusatory stare. My hands were empty. She sent Helen inside to pat me down. Helen must have felt the pencil and folded toilet paper in my pocket, but she told the matron I had nothing. After that I was even more careful when I wrote, which meant I did a lot less of it.

My body and mind deteriorated. Sleeping on that metal plate was unpleasant to difficult. The small, thin blanket I was given at night was taken away each morning. I could put the blanket over me or under me, but it was hard to do both. Between lying on the metal plate and sitting on the cement floor, my body began to feel sore. The soreness grew every day until I felt like I had been thrown down a flight of stairs. I was also filthy. The other women were taken to the shower room every day. I wasn't let out of my cell. The floor was dirty. I really couldn't wash my hair or my body with water from the toilet or the sink, so I didn't wash at all, except my hands and face; without soap and hot water those never felt clean.

When Monday came and went and no one from SCLC came to bail me out, I became depressed. What if they didn't know I was locked up? What if they hadn't noticed that I had not shown up for work? What if the kid who took my purse simply took it home and didn't tell anyone what had happened to me? Helen White's story of being scooped up from the street and put in jail for six months weighed on my mind. I felt like I had just disappeared; no one noticed

and no one cared.

Sometime on Tuesday I found a metal washer and a couple bristles from a broom in a corner of the floor underneath a bunk. I ripped some thread from my jail dress, tied it to the bristles and, using the washer as an anchor, began to braid the thread. While it hardly kept my mind occupied, at least it gave me something to do. The constant movement of my fingers had a calming effect on my mind, which was now engaged in lurid fantasies of being left in that jail for life.

Going to Court

Wednesday morning the guards took me out of the cell and into an elevator. I didn't know where I was being taken until I was escorted into a courtroom and placed in a boxed-off area with others. I think that was the jury box, but I wasn't there as a juror. We all rose when a judge entered. The court clerk began calling cases. Soon I realized that this wasn't arraignment, it was a trial court. I was about to go on trial without counsel, without knowing what I was charged with, without knowing what the cops would say, feeling grimy, and looking like something the cat dragged in. I hadn't been permitted to bath or brush my teeth in six days. The guards that took me from cell to court hadn't even allowed me to comb my hair. My body was dirty; my hair was dirty; I was still wearing the same denim dress I had been given when I was booked. I felt like I was about to relive Helen White's description of her trial and confinement.

I listened to the cases as they were being tried. They went fairly quickly. Cops testified and the judge found the defendant guilty. While I was thinking about what I would do when my turn came, I saw the door to the outer hallway open and a grizzled Negro walked in, wearing a suit and tie and carrying a briefcase. He sat down at the lawyers' table. I soon recognized him as Orzell Billingsley, one of the lawyers who handled SCLC's legal work in Birmingham. SCLC did not have a legal branch or rely on the NAACP's lawyers. It hired local lawyers. In Birmingham those were Billingsley, Arthur Shores and Peter Hall. I didn't know it at the time, but Billingsley was still trying to collect the \$15,000 he had billed SCLC for legal services rendered for the 1963 Birmingham campaign. (Eskew, 1997, 395n47) All I knew was that he was the most beautiful sight I'd seen in the South. I wouldn't have to go on trial by myself.

When my case was called I left the jury box to stand in front of the judge as I had seen the other defendants do. Billingsley rose and stood beside me. The judge appeared puzzled at a black lawyer representing a white woman; obviously he hadn't figured out that I was a civil rights worker. After Billingsley stated his name and that he was representing me, the judge looked at him and said: "And *you* sir, are a *black* man?" That was a dumb question. Billingsley was a regular in the courthouse. The judge must have wanted to get "race" on the record. Asked to confirm his race, Billingsley drew himself up to his full height and replied, with a touch of indignation, "*I, your Honor, am a Negro.*" In those days "black" was a mild pejorative; the socially proper term was Negro. The judge looked at me and asked what race I was. Normally I would have said "white" but in this case I thought parallel construction was more appropriate so I told the court "Your Honor, I'm Caucasian."

We proceeded to trial. The two sheriff's deputies who had arrested me testified that I had breached the peace by lying down in the hallway leading to the Registrar's office and refusing to get up. One officer said I was part of a group which was blocking a door to that office. All of this was absurd. Why would I or any of us want to block the route to the Registrar's office? We were there to facilitate registration, not impede it. I knew that the real cause for my arrest was petty revenge because federal examiners were coming to Birmingham but I couldn't tell the court that. I said I was only sitting, not lying, on the floor and added that I had sat in the same spot on other days without objection. I don't think that made any difference. I was guilty. Before pronouncing sentence, the judge quizzed me about my background and my presence in Alabama. He brought out that I was a U.C. Berkeley graduate, my previous arrests in California and that my mother was a school teacher in L.A. currently taking a trip around the world. Then he fined me \$100

plus \$40.50 in court costs and sentenced me to 90 days hard labor, suspended if I left the county and didn't return. (BN 1-26-66, 1)

Orzell Billingsley came prepared to pay the \$300 bail so that I could be released pending appeal. He told me to go back to my cell and wait until the bail was paid and the appeal papers filed. I pleaded with him not to make me go back to that cell. I was afraid I'd just be left there. I don't remember what he said but I didn't go back behind bars. We must have parted at some point because I had to change clothes. We parted again after we left the courthouse. He went to his office and I went to the SCLC office.

The office was bustling when I arrived; a lot was going on that week. I wanted to find my purse and find out why I had not been bailed out on Friday. It wasn't SCLC's policy to just let staff sit in jail unless for a specific jail-no-bail demonstration. I found my purse in the storage room; nothing was missing. No one seemed to know why I had been left to rot in jail, but I was told that it was Stoney's decision. Stoney was the office administrator.

My next stop was the Gaston Motel, where I talked myself into the white girls' room for a long, hot shower and hair-washing. As the hot water rinsed the jail dirt off of my body and out of my hair, I thought about whether I should ask Stoney if he was the one responsible for what seemed like abandonment. I finally decided *not* to ask him. If he denied responsibility, I probably wouldn't have believed him. I had heard that Stoney did the same thing to another white staffer who was arrested earlier that month though I didn't know the details. (Gilliard, 2002, 284) If he'd admitted it, I probably would have stopped speaking to him. The easy way out was to pretend it hadn't happened; that way we could continue working together.

Later that week I found out that the local newspapers had printed stories on both my arrest and trial. In California, this minor misdemeanor would not have made a big-city news paper let alone the front page, but in Birmingham all civil rights workers were fair game. All the details of my life that the judge had drawn from me when I was under oath were on the front page of Wednesday's *Birmingham News*. I learned from the story that the decision to arrest me had not been that of the officers, but the Sheriff and the District Attorney. What bothered me was that two of my mother's siblings lived in Jefferson County and would probably see that story. They would surely send an unsympathetic report to my mother and might even send her the clippings. Getting arrested was the one aspect of my civil rights work that made my mother angry. This time I couldn't even defend myself by claiming that I was arrested for a noble cause; I was merely in the wrong place at the wrong time. (BN 1-22-66, 3; 1-26-66, 1)

That same day, the headline story was "JUDGE RULES AGAINST SCLC" on the TRO governing SCLC's street marches, particularly its use of students. After a two-day hearing, Judge Grooms prohibited SCLC from doing anything which would cause students to be absent from school. At that hearing, the Jefferson County school superintendent had testified that 1,481 Negro students had been "abnormally absent" from Brighton, Westfield and Wenonah high schools during the second week in January when we were holding most of our demonstrations. The Birmingham city school superintendent said that there were 4,392 "excess absences" from eight Negro schools that same week. Hosea testified that his staff had *not* been instructed to go into the schools but to recruit from the outside before school began. He also said that SCLC had achieved its goal of bringing in federal examiners and that more demonstrations weren't necessary. The following day the District Attorney announced a \$2.2 million law suit against

SCLC for disrupting the county schools. It asked \$200,000 in compensatory damages for money lost when we pulled students out of schools, and two million in punitive damages. Attorney Peter Hall appealed the TRO a month later, after our marches had ended. (BN 1-24-66, 9; 1-25-66, 1; 1-26-66, 1, 6; 1-27-66, 1; 2-26-66, 2)

The people arrested during the street demonstrations were also being tried, but not in county court or on the front page of the newspapers. Most went to the Recorder's Court, which was the Birmingham municipal court that handled traffic tickets and minor misdemeanors. They had different fates. Eddie Sanders, a staffer who was a Birmingham native, was convicted and sentenced to 30 days for trespassing at Western Olin High School the week we were pulling kids out to march. Marie Nix, a local girl, forfeited her bond. The case against Tom Houck, a white staffer from Florida who was charged with assaulting an officer after he complained about being beaten by the police, was dropped. (BN 1-13-66, 2; 1-21-66, 6) All convictions were appealed.

Hosea had not been arrested during the demonstrations, but he was stopped for running a red light around 3:00 a.m. on Sunday, Jan. 23. The cop recognized him and accused him of being drunk, which he denied. He admitted to speeding. Put into a paddy wagon, he was driven around for two or three hours as the wagon picked up other prisoners before taking them all to jail. Hosea was put into the "detox" cell even though he said he had not been drinking. He had on him the \$300 necessary for bail but he was held for several hours before being allowed to bail out, after being charged with DWI and reckless driving. At traffic court on Monday he was fined \$100 and given a 30 day suspended sentence for reckless driving. He was acquitted on the intoxication charge, despite police testimony that his breath smelled of alcohol, because the breath analyzer had not been working on Sunday. (BN 1-24-66, 4; 1-25-66, 7; NYT 1-25-66, 35; CD 1-25-66, 9; SC 1-29/30-66, 2) Hosea wasn't bothered by the personal publicity in the way that I was. He often said "I don't care if they good things about me or bad things about me, as long as they say something about me."

Most of our people were held in the Birmingham City Jail where Dr. King had composed his famous letter in 1963. In 1966 it was still racially segregated, as were all the jails and prisons in Alabama. On February 18, the ACLU filed a lawsuit challenging this practice as a violation of the Equal Protection clause of the 14th Amendment and also the prohibition against cruel and unusual punishment of the 8th Amendment. The constitutional challenges meant it would be heard by a three-judge federal district court rather than a single judge, and would get a quick trip to the Supreme Court on appeal. Charles Morgan handled the case for the plaintiffs with Orzell Billingsley as local counsel. They filed it as a class action, finding one plaintiff in the Jefferson County jail and three more in state prisons to join Hosea Williams in representing the class. Tom Houck integrated the plaintiffs. Including the Alabama Board of Corrections among the defendants made it a state case rather than a Jefferson County case. Thus it could be filed in the Middle District rather than the Northern District where Birmingham was. This guaranteed that two of the judges on the panel would be Rives and Johnson with the third being from Birmingham. Judge Seybourne Lynne agreed with the other two that the Alabama statutes requiring racial segregation in the jails and prisons were unconstitutional, but only as a violation of the 14th Amendment, not the 8th Amendment. Judge Johnson wrote the decision that was released on December 12, 1966 – long after we had all left Birmingham. Different parts of the penal system were given different time periods in which to desegregate. The newly elected Attorney General of Alabama, MacDonald Gallion, appealed to the Supreme Court, which unanimously affirmed the District court's decision on March 11, 1968. (*Washington v. Lee*)

While I was in jail, Dr. King flew in from New York for a few hours of speeches around Jefferson County. Saying that he had “no apologies” for kids going to demonstrations rather than school, he credited the demonstrations for adding 8,000 new Negro voters. At Thurgood CME Church he called for “the most far-reaching and massive voter registration drive ever held anywhere in the South.” (*NYT* 1-25-66, 35; second quote in 1-27-66, 5; *BN* 1-25-66, 1, first quote on 2) On May 25 my appeal was denied. SCLC paid the \$100 fine. As I was no longer in Jefferson County, the sentence to hard labor stayed suspended. I didn’t set foot in Jefferson County again for several decades.

Hunting

After the federal examiners started work and the federal court issued its injunction SCLC stopped the street demonstrations. They had served their purpose. Our next job was to build the “bloc vote” which whites feared so much. Hosea wanted to register every Negro in Jefferson County. Staff worked long days canvassing to tell people where to go to be qualified by the federal examiners so they could register to vote. Birmingham’s Negro neighborhoods were numerous and scattered all over the city. Even the ACMHR leaders didn’t seem to know where they all were, or to have contacts in all of them. Its connections were primarily through the churches. Hosea told me to find every Negro neighborhood and every block with a Negro family in the City of Birmingham and its environs. He didn’t tell me how to find them.

Finding Birmingham’s Negro Neighborhoods

I went to the Birmingham Public Library to see what I could find out there. I don’t remember how I couched the question but the librarian I spoke to initially told me to go to the city planning office where she thought they were mapping those very neighborhoods. She unintentionally alerted me to the fact that I would need a better cover story for my research than the one I gave her. I had told her that I was a college student doing a term paper. “What college,” she asked? I hadn’t given it any thought so I blurted out “Birmingham-Southern” and then held my breath hoping she hadn’t gone there and wouldn’t ask me anything about it. It leapt to mind because one of my cousins was an alumna but I knew nothing about the school. Instead she looked at me with disbelief and said something to the effect that I looked way too young to be a college student!

Looking younger than my age had been a problem all my life. It’s hard to be taken seriously or be given responsibility when you look like a kid. I was a 20-year-old college graduate and the librarian thought I was a 16-year-old high school student. I didn’t want to be a high school student when I visited the office of city planning in part because I knew nothing about the white high schools of Birmingham and in part because my project seemed too advanced for a high school term paper. After giving it some thought I finally decided to go with the high school student identity since that was the image I projected, but to appropriate my mother’s alma mater – Hamilton High in Marion County. I figured no one I ran into would know anything about a school 101 miles from Birmingham and wouldn’t ask me about its football team. I could say I was visiting an aunt in Birmingham. My cover was enhanced by the fact that my Southern accent was from northern Alabama.

I’d often wondered how I could so easily talk Southern when I have no talent for accents or voices. I attributed it to my mother, but she had rid herself of her accent soon after arriving in Southern California. She told me that people thought Southerners were dumb so she didn’t want to reveal her origins on first impression. I most likely picked up a Southern accent when I was living in Hamilton with Aunt Loy and Mama Mitchell. Age three is prime time for language learning and I was surrounded with Southern accents for nine months. I didn’t talk Southern in California (my mother would have disapproved) but when in an environment where everyone else talked Southern, the accent came out effortlessly.

At the city planning office I did have a bit of trouble being taken seriously, but no one

questioned my pretended identity. Of course I used an alias. My real name had been in the newspapers so I certainly couldn't use that. I was grateful that cameras were not allowed in courtrooms so that my photo had not been in the papers as well. No one asked me about the Hamilton High football team. Someone did ask about Rankin Fite, the Representative from Marion County and former Speaker of the House. I told him truthfully that my aunt was Mr. Fite's legal secretary and she wished he'd stay home and tend to his law practice.

Pretending to be a high school student provided a protective aura in my quest for information on Negro neighborhoods. Because I looked so young and talked Southern so well no one thought I was the white female civil rights worker described in the newspapers as a 22-year-old Berkeley graduate. Although there was a bit of puzzlement about my term paper topic, the planning office gave me lots of material, including whole books on city planning in Birmingham. I read them.

These books told me where some of the Negro neighborhoods were but not all of them. Birmingham was full of creeks and valleys. The 1926 racial zoning ordinance had placed the Negro neighborhoods in the creek bottoms, alongside railroad tracks and near industrial areas where most Negroes were already living. These were scattered all over Jones Valley. The City had "plans" for some of them, but not all. I returned to the library. This time a different librarian introduced me to the decennial housing census. Inside the book was a fold-out map showing the census tracts for all of the blocks in Birmingham and Bessemer. The tables in the book had information on each tract and under that heading on each block. One of the columns gave the percent non-white in each block. The blocks were numbered, so I could match the data with an actual place on the fold-out map.

I realized that the easiest way to identify concentrations of Negroes, at least in 1960 when the census was taken, was to mark up the map. Of course I couldn't mark up the map in the census book. I decided that road maps, the kind that gas stations gave out to customers for free, would do just fine. I wanted at least a dozen, but I didn't think I should take them all from the same gas station. Over the next two weeks I visited gas stations wherever I was in the city and grabbed a map or two. Block by block I used colored marking pens to show where Negroes lived in Birmingham. I did the same for Bessemer which was in a corner of the Birmingham map; there were no tables for the smaller municipalities in Jefferson County.

As I examined the data under "race" for each census tract I was struck by how mixed many of the blocks were. Dr. King had called Birmingham the most segregated city in America. I expected sharp divisions between neighborhoods, with each block in each tract all white or all non-white. What I found was a range. It would have taken a lot of colors to indicate the different percentages of non-white in the different blocks. I settled for a three-color scheme: Uncolored for blocks less than 1/3 non-white; yellow for between 1/3 and 2/3; orange for blocks over 2/3 non-white. It took several days of careful work to match each block in the table to one on the census map, and then find it on the road map and color it. After that I colored multiple maps so we could give them to our canvassers. The final map showed somewhere between 30 and 40 discreet Negro neighborhoods in Birmingham proper and more still in Bessemer. Some were just a few blocks in a sea of white. Other areas of the map showed miles of orange. There was lots of yellow fringe. No wonder no one in the Birmingham movement knew where all the Negro neighborhoods were.

It was already six years after the census, so the racial designation of blocks wasn't always accurate. More importantly, I knew of some Negro neighborhoods that did not show on the maps; they were housing projects which must have become occupied after the census was taken. The road maps showed prospective highways that were not on the census map, though they were in the city planning books. The routes ran through Negro neighborhoods. As I made the first map and copied the rest, I felt like the map was trying to tell me something. I could almost hear it speaking, but I couldn't understand what it was saying. I didn't find out until the fall of 1968, in my first semester in grad school. Sitting in a course on public policy taught by Theodore J. Lowi, I heard him talk about Iron City, which was a pseudonym he had given to his home town of Gadsden, Alabama. The lecture was about how city officials used federal funds to foster segregation. Using federal money intended to remove blight, Gadsden had eliminated multiple small Negro neighborhoods. It then used other federal funds to build race restricted housing projects. The Negro projects increased the population in the remaining, enlarged, Negro neighborhoods. Among other things, this relocation of the Negro population made it easier to send Negro kids to their neighborhood schools at a time that schools were supposed to be desegregating. Rather than going through white neighborhoods every day to reach schools designated for Negroes, they could walk to neighborhood schools which were exclusively Negro even though they were not so designated. (Lowi, 1969, 250-261) As I listened to him talk about Gadsden, my map of Birmingham flashed through my mind. I finally understood what it was telling me.

Forty years later a scholar of city planning published a book length study of *City Planning and Civil Rights in Birmingham, 1920-1980* which detailed exactly how Birmingham used planning techniques and federal funds to determine where Negroes could live and what city services they received. Under the rubric of slum clearance, the federal housing acts of 1949 and 1954 provided funds to remove Negroes from areas city planners wanted for other purposes. The University of Alabama at Birmingham was built on land cleared of its Negro residents. Federal money was also used to build segregated housing projects. The city's interstate highways were run through Negro neighborhoods in order to avoid bisecting white neighborhoods or run between them to create a physical boundary. All of this happened in plain sight. (Connerly, 2005, 7, 121-22, 129, 158, 162)

We sent project staff to outlying churches to talk about voter registration and encourage them to canvass their own communities. Sometimes we brought in more prominent SCLC staff, such as Rev. Wells and Albert Turner, in hopes of drawing a larger crowd. I was one of several staffers sent to the one white church which supported our efforts – the Unitarian Church in Mountain Brook – though I don't remember what our purpose was since we didn't expect them to knock on doors. Maybe Hosea thought they would donate some money. After eight months of listening to black preachers I was struck by how subdued the white minister seemed. His sermon was heavily intellectual with no emotion. During the 1963 Birmingham campaign, some Negroes had tried to attend Sunday services at white churches, from which they were mostly turned away. Those congregations needn't have worried. Anyone used to the emotional peaching in a Negro church would find a white church much too tame. Much to my surprise, one Negro church had a white pastor. Rev. Joseph Ellwanger had been the minister of St. Paul Lutheran Church in Birmingham since 1958. He'd spent his youth in Selma where his father headed Concordia College, a school for Negroes run by the Lutherans. He'd been supportive of the 1963 Birmingham campaign and had marched in Selma as head of the Concerned White Citizens of Alabama. Of course he let us meet at St. Paul's in 1966.

Civic Leagues

At some point Hosea gave me a list of four dozen civic leagues and told me to call all of them and arrange for one of our staff to speak at a meeting. We hoped these groups would take up the task of canvassing their own neighborhoods and bringing their neighbors to be registered. *We* were running out of steam.

Birmingham's Negro neighborhoods had organized civic leagues as early as the 1920s in an attempt to get more city services or make up for their lack. They lobbied the city government for paved streets, traffic lights, fire hydrants, sewers, water lines, school improvements and parks. Success was limited. Public officials by and large were not beholden to Negro voters and didn't want to spend public money in Negro neighborhoods even though some of that public money came from taxes paid by Negroes. The alternative strategy was self-help. Financed by dues, the civic leagues organized neighborhood clean-up campaigns, raised money to build community and recreation centers and ran classes on how to register to vote. Those neighborhoods subject to bombings organized night-time security patrols. (Connerly, 2005, 218-230)

The civic league list had home phones for the civic league officers. Since most of them worked, I had to call at night, usually after spending the day canvassing or whatever else I had to do. By then I had switched residences again. Mrs. Sam Walton's home at 109 Graymont Ave., in North Birmingham had a spare bedroom. She had housed northern volunteers during the Christmas Project as her contribution to the movement. Now that they were gone she wanted someone else to stay with her. While I was happy at the Smith residence, I was sleeping on the couch in their living room. It seemed best for everyone for me to take the spare bedroom, even though it was about a 40 minute walk from the office. I could take a bus during commuter hours but they didn't run late at night. On the nights I worked late making phone calls, I hustled rides from whichever guy was still in the office and had car keys. That could sometimes be a challenge.

One night I looked up after my last phone call and found that I was alone in the office. What to do? I thought about just sleeping there, but the desks were too short and the floor too dirty. There weren't any comfortable chairs, let alone a couch. Taking a taxi was not a possibility even if I'd had more funds. The taxis were still segregated. A white taxi wouldn't take me into a Negro neighborhood and a Negro taxi wouldn't take a white girl at all. What would the driver say when stopped by the cops? While puzzling over what to do, I remembered the couch in the Ladies Room of the Greyhound bus station. It was only a few blocks away. I walked over and found that the couch was still there. I put my purse next to the arm rest for a pillow and pulled my trench coat over me for a blanket. I was a bit longer than the couch seat, but could still sleep well enough. No one bothered me. For the weeks that I was making phone calls and setting up speaking gigs I did that whenever I needed to. Late one night while I was walking to the bus station on a deserted street I sensed that a car was following me. I tensed up, wondering if I was going to be attacked or at least the recipient of some nasty words. Where could I go for safety? Soon the car pulled ahead and a white man leaned his head and left arm out the window. His hand waved a bunch of bills as he tried to solicit me. I gave him a dirty look and shook my head NO, relieved that he only thought I was a prostitute and not a civil rights worker.

My first problem was getting the civic league officers I phoned to believe that I was calling from SCLC. I sounded white. I could talk Southern, but I couldn't talk black. I didn't even try. I'd never heard a white person try to talk black who didn't sound fake. Initially I encountered some incredulity that a white female was asking for an opportunity for some unknown person representing SCLC to speak on the importance of registering to vote. That was why I wanted to know when and where the civic league met. This *was* "Bombingham." After a couple calls I figured out which names to drop to be persuasive. Over the phone, the line that I used when canvassing – "Dr. King sent me" – didn't work. Everyone knew Dr. King. I had to use names known to the Negro community which would not be known to every white cracker looking to do something bad. For that, my list of civic league officers was helpful. The more people I could say I had already spoken to in other civic leagues, the easier it was to talk to someone new. The person I was calling could always check with those whom I said I had already spoken to. They could also call the SCLC office back in the morning to verify that I was for real.

My next problem I didn't anticipate. I persuaded a lot of civic leagues to have one of our staff come speak on the importance of helping our registration campaign, but when I asked staff to fill the engagements, most turned me down. They worked 12 hour days and weren't willing to extend that another couple hours just because "some white girl in the office" asked them to. That meant that I had to call back some of the civic leagues and cancel, which was embarrassing. I was really peeved. I'd done all this work, and now I had to reverse it. The more I thought about it, the more I realized that I had gone about this all wrong. I had tackled my task like an over-eager college student determined to get my "A" – which is exactly what I had been only a year earlier. Organizing required a different approach. I had to take people where they were at, not where I thought they should be – even staff, who were supposedly committed to doing anything for the cause.

From watching who listened to whom and when I had realized that a woman's status was derivative – it depended on her relationship to the men, or a man, in the group. The more important the man, the more important the woman. I had seen the same thing in the Berkeley Free Speech Movement the year before so this wasn't a new revelation. The only woman all the staff paid attention to when she made a request was Terrie Randolph; she was Hosea's secretary and Ben's girlfriend. Hosea had given me the assignment so I talked to him about the problem I was having getting staff to do speaking gigs in the evening when they were tired from a day's work. He announced to everyone that we needed evening speakers and everyone on staff should tell me what nights they were available. He emphasized that he wanted *everyone* to do at least one gig. That legitimated my requests. Even with Hosea's verbal backing not all staff volunteered, but some were willing to do multiple gigs. I still had to do a little begging, but I managed to find a speaker for every civic league willing to have one. Ideally I should have gone with them to see how well they spoke and to follow up. But getting a ride to far away Negro neighborhoods at night – whether by myself or in the same car with a Negro male – was asking for trouble, so I didn't.

Registration Race

Dear Student:

It is a great privilege to help protect our nation and our freedoms by voting.

Please ask members of your family 21 years of age or older if they are registered to vote and if they have paid their poll tax.

In order to vote this year a citizen must be registered and must have paid his poll tax. Would you please take this message home to your parents.

Sincerely yours,

George C. Wallace, Governor

The white folk of Alabama must have heard Dr. King's call for a massive voter registration drive throughout the state. In January, the Alabama State Sovereignty Commission (ASSC) spent \$3,300 in public funds to print 600,000 red, white and blue pamphlets with "a message from Gov. George C. Wallace." It was given out to school children only in the *white* public schools. (*BN* 1-20-66, 1; *NYT* 1-23-66, 1; *SC* 1-29/30-66, 2; Permaloff and Grafton, 1995, 222; Carter, 1995, 287) Only a month before there were "321,000 Negroes and about 325,000 whites of voting age unregistered in Alabama." (*BN* 12-14-65, 16)

We should not have been surprised that all the publicity we brought to the issue of voter registration mobilized whites as well as Negroes. During the week our Birmingham demonstrations were tying up traffic and making headlines the number of whites registering to vote in Jefferson County almost doubled that of previous weeks, while the number of Negroes declined slightly. (Belknap, 1991, 15:195) Friday, January 21, the day the headlines announced that federal examiners were coming to Jefferson County, was the first day in which more whites (308) than Negroes (289) registered to vote since our drive had started. (*BN* 1-24-66, 8)

On Monday, January 24, federal examiners began work in Jefferson County. Fifteen civil service employees took up their tasks on the fourth floor of the main Birmingham post office, four worked in Bessemer and four in Fairfield. That day they worked from 8:30 in the morning to 9:30 at night to certify 405 people in Birmingham, 434 in Bessemer and 350 in Fairfield; 77 were white. That same day 388 whites and 333 Negroes registered at the County Board. (*BN* 1-25-66, 1) For the rest of the month, federal examiners worked from 8:30 a.m. to 7:30 p.m. Monday through Friday and to 5:30 on Saturday. Over a thousand people were examined each day. (*BN* 2-3-66, 8)

To determine if someone was qualified to be a voter under Alabama law as modified by the VRA, the feds asked eleven questions. One of these was "Have you ever been convicted of a crime other than a traffic violation?" The VRA did not eliminate all barriers to registration. In particular, it did not remove disqualifying crimes under state law, even though many of those crimes were put into the law in the belief that they were more likely to be committed by Negroes than whites. For the federal examiners to find out if the applicant had been convicted of a disqualifying crime was a challenge. Memories were not reliable and knowledge of the legal process skimpy. Someone might say that they had been in court, but did not always know the

difference between civil and criminal actions, or whether they had been convicted of a felony or a misdemeanor. About one in 25 applicants admitted criminal convictions sufficient to disqualify them from voting. The most common such crime was making moonshine. (*BN* 1-25-66, 1, 8; 1-26-66, 6; 2-3-66, 1; list of disqualifying crimes is at <http://alisondb.legislature.state.al.us/alison/codeofalabama/constitution/1901/CA-245722.htm>)

Examination by the feds did not automatically make one a registered voter. The federal examiners did not have the legal authority to register anyone. They submitted a list of persons found qualified to be voters to the County Board of Registrars. The Board had ten days in which to object to any particular person. A hearing by the Civil Service Commission decided whether that person was in fact qualified or not. Throughout Alabama, several thousand people were challenged for such things as an inadequate address or birth date, though the most common reason was a criminal record. Of the four states that had federal examiners in early 1966, Alabama challenged 23 times as many people listed by federal examiners as the other three states put together. Only one out of 24 such challenges was sustained. (*BN* 1-27-66, 1; 1-28-66, 1, 2)

There were other problems. In the first week the examiners assigned some people to the wrong voting box or sometimes placed them in voting boxes which did not exist. The boundary lines of some boxes had been changed and the feds did not always have current maps. (Freeman report, 1966, 13) These errors made it easier for the Board of Registrars to refuse to register people listed by the examiners as qualified.

The Jefferson County Board of Registrars kept its enlarged schedule even though the feds had pretty much taken over the job of qualifying Negroes. It asked Governor Wallace for ten additional registration days so it could keep the five-day schedule through February and was given eight. It extended its working hours and hired extra clerks, bringing the total to 42. The Board announced that it would register voters in Bessemer for five days in February while also registering them the same week in Birmingham. The reason was obvious. In the five months of registering new voters under the VRA before the feds arrived, the County Board had registered over sixteen thousand Negroes and thirty-five hundred whites. Now that most Negroes went to the main post office to be examined by federal workers, the county workers at the courthouse mostly registered whites. (Belknap, 1991, 15:195; *BN* 1-21-66, 2; 2-9-66, 17)

Many white organizations announced voter registration drives. The Jefferson County Chamber of Commerce urged its members “to encourage and assist your employees, their families and friends to register to vote.” (*BN* 2-1-66, 1) The Birmingham Jaycees celebrated Valentine’s day by joining with several women’s organizations for an 8-week drive. They set up a call center in the Chamber Building where women used 20 phones to call unregistered citizens and urge them to register to vote. Satellite call centers were set up in the county with another 10 phones. The women’s groups were soon joined in their phoning by the PTAs, garden clubs and high school girls. The Jaycees’ Good Citizenship Committee hired shuttle busses to bring whites from outlying areas to the courthouse to register. Toward the end of February, the Birmingham Jaycees were challenged to a voter registration drive by the Midfield Chamber of Commerce. Midfield was a tiny town west of Birmingham which started its own voter drive the week the federal examiners came to Jefferson County. Both groups figured a little competition would

make their drives more successful. Newspaper editorials and stories encouraged these drives. While the word “white” did not appear in the text, in the cartoons all the figures were white. (*BN* 2-12-66 1, 2; 2-15-66, 21; 2-16-66, 28; 2-21-66, 7, 29; 3-8-66, 2; *SC* 2-10/20-66, 6)

Shorter lines at the Post Office prompted the federal examiners to start the neighborhood registration that we had asked for. On Feb. 14 examiners set up shop at the U.S. Post Office in Sayreton and at Birmingham Baptist College in Powderly. In the next couple weeks they went to Wylam, Irondale, Homewood, and Tarrant. However, all but Tarrant were heavily white areas so we weren't too happy about that. The DoJ announced that federal examiners had qualified 13,186 Negro applicants in their first three weeks in Jefferson County – more than twice the number registered by the County Board in the preceding three weeks. This was more than a quarter of the 50,375 Negroes processed in Alabama by the feds since they first arrived on August 10. Statewide, local registrars had added another 50,000 Negroes to the voter rolls. There were still a few more weeks in which to register to vote in the primary. (*BN* 2-12-66, A-10; 2-13-66 A-10; 2-20-66, A-14)

Saturday, March 19 was the last day that federal examiners could submit lists of persons qualified to vote in the May 3 primary to the County Board of Registrars. The 45 day cut-off under the VRA was to give states time for challenges and the creation of voter lists necessary for any election. The feds could continue to examine potential voters after this, but they couldn't submit any more lists for that election. Monday, April 18, was the last day to register with the County Board. Alabama law required a two-week closure before each election. After the May 3 primary election, the local Boards could register again, but only on the days permitted by law – which for most counties was the first and third Monday in the month. They had to close again 15 days before the May 31 run-off primary. (*BN* 3-21-66, 36)

Between January 24 and March 19, the federal examiners qualified 17,555 Negro and 2,745 whites in Jefferson County. Since coming to Alabama in August, examiners had qualified 39,203 Negroes and 800 whites in the other ten Alabama counties where they been working. The DoJ said that there were 111,966 Negro voters in Alabama when the VRA became law. The new additions plus an estimated 56,000 Negroes registered by local county registrars since August more than doubled the Negro vote. Those 225,000 Negro voters would have a major impact on the primary election. (*BN* 3-22-66, 6)