

## A JOURNEY FROM THERE AND BACK

Recently I was involved in a study group sponsored by the Human Relations Commission that dealt with race relations here in Hopkinsville. The group included people from different backgrounds and different races. When the question was asked: "Do we have a racial problem here in Hopkinsville?" Almost half of the group said no. To them, the problem was economical not racial. This came as a surprise to me. I know that things have improved since the 1960's, but I feel that there are still racial tensions that exist. Maybe those who see things differently have had different experiences than I have had, and thus arrive at a different opinion.

To paraphrase John Donne; we are a part of all that we have met, that is, we are influenced by the people we have interacted with and circumstances that we have experienced. I grew up in the segregated South where I experienced a lifestyle that was "normal" for that time, but would not be tolerated today.

As a small boy, I lived in Millbrook, Alabama; a community about the size of Croftin. Downtown consisted of two county stores, a gas station and a couple of churches. We lived approximately one mile from the center of town and had very few neighbors. There were seven children in my family and so my mother had a maid that came in five or six days a week to help. I knew her as Alberta and never recall hearing her last name. She was a second mother to me: feeding me, bathing me, scolding me and encouraging me.

Most of my white playmates, with the exception of brothers and sisters lived a mile or more away. Alberta had two sons, about my age, who came to work with her on many occasions and they were some of my early playmates. At times I would go to their house to play and I recall the differences between the two homes. Neither house had electricity or indoor plumbing. We had a pitcher pump on our back porch for water where they had a well in their back yard. A bucket was used to draw water from the well and a dipper hanging on a post was used to get a drink. We all drank from the same dipper. As a child, I never gave any thought to the fact that in the stores in Montgomery, there were "White" and "Colored" drinking fountains and that blacks could not sit to eat what they had ordered from lunch counters.

A black man, we called Uncle Jim, plowed our garden for us each spring and returned in the fall to turn the sweet potato hills using an ox. He would let us ride on the back of the ox as he worked. The ox's back was so wide that your legs were spread almost at right angles to the ox's backbone. Uncle Jim also raised peanuts, and in the fall he would shock them to dry. We would go to his house for boiled peanuts or to raid the shock. He and his ox are among some of my fondest childhood memories. Thinking back on it, I had no concept of racial differences at that time.

It was when I began school that I began to see that we lived in different worlds. I went to Robinsons Springs Elementary School and I do not recall where Alberta's children went. The school system supplied our books, and I do recall their getting our hand-me-downs. We moved into Montgomery when I was eleven years old and I became more isolated from people of other races and more steeped in the prejudices of the time.

My grandfather had a grocery store where approximately half of his customers were black. There I learned that you did not say: "yes sir" or "no sir", when responding to a black man or, "yes mam" or "no mam", when speaking to a black lady. At the store, I had seen one of the boys in the neighborhood shining shoes and making pretty good money at it. I built myself a shine kit from an apple crate and stocked it with the necessary supplies and was doing pretty well as an entrepreneur until I asked a black man if he needed a shine. My grandfather let me know very quickly that I did not shine a black man's shoes. Even though I was taught to be courteous to all people, the fact that the two races were not to mix on a social level was engrained in me.

I was a senior in high school when the Montgomery Bus Boycott began on December 5, 1955. Initially, it was not big news. Most felt it would be over in a few days. As it drug on, homes were bombed, outsiders joined the effort and both sides became more entrenched; I began to feel as many others did that it was not local blacks who were leading the cause, but outside agitators (a term used by our city leaders). I had never heard of Martin Luther King Jr. Once the boycott began, I learned that he was relatively new to the area, "an outsider", and that he spoke with a different accent from that of most blacks in the area. When his house was bombed, friends and I

rode by the following night to see the damage. What little exterior damage that had been done had mostly been repaired, but there were police and a crowd on the scene. Those were my recollections of the boycott.

Years later, while living in Denver, I was asked to speak to a church group about Dr. King, and I realized that I knew very little about him, and what I did know was biased by earlier events. I went to the public library to do some research and the first thing I read was King's "Letter from the Birmingham Jail". The letter was written in response to an open letter from area ministers and published in the Birmingham News. Birmingham had just voted to change their form of government from a city commission to a mayor council. The ministers were asking King and the protesters to call off their demonstrations and give the new government time to take office and then address their concerns. In essence they were asking for him to wait for a more appropriate time. His response was eloquent and well thought out. The many references to, and quotes from people like: Reinhold Niebuhr, Paul Tillich, Socrates and Thomas Aquinas led me to question how he could have had access to so much reference material when he was sitting in a jail cell. I later learned that he had written the draft of the letter on the margins of the page in the news paper with the references quoted from memory. It was later transcribed by others. He had responded to each of the points made by the group of ministers in a kind but forceful manner.

With regard to waiting: "We have waited for more than 340 years for our constitutional and God given rights. The nations of Asia and Africa are moving with jetlike speed toward gaining political independence, but we still creep at horse and buggy pace toward gaining a cup of coffee at a lunch counter. Perhaps it is easy for those who have never felt the stinging darts of segregation to say, 'Wait'. But ....." and he goes on to list the many injustices suffered by blacks in the south, ending that section with: "This 'Wait' has almost always meant 'Never.'"

With regard to breaking laws, he defined just and unjust laws and his reasons for breaking unjust ones; stating that he was aware that he must be willing to suffer the consequences of his actions. As he wrote: "To put it in the terms of Thomas Aquinas: .....Any law that uplifts man's human personality is just. Any law that degrades human personality is unjust." From this stand point, any law promoting segregation was unjust and, to him, should be opposed. The "Letter

from the Birmingham Jail” is one of his longer letters and one that, I think, gives a clear picture of his character, his intelligence, his education and his desire to free all people from bonds of injustice. If you have never read it, I would recommend it to you.

I also took a second look at the Montgomery bus boycott and found that there was much that had taken place before and during the boycott that I was not aware of. We are all familiar with Martin Luther King Jr. and Rosa Parks, but there are many who played a role in that struggle that most people are not familiar with: Charles Houston, Claudette Colvin, Aurelia Browder, E. D. Nixon, Jo Ann Robinson, Fred Grey, Clifford Durr, Virginia Durr, Robert, and many others. I would like to present the roles of a few.

Charles Houston, a black lawyer and vice dean of the Howard University Law School, worked for decades to improve educational opportunities for blacks in the south. Work he began culminated with *Brown v. Board of Education of Topeka*. The concept of separate but equal had been established in 1896 by the U.S. Supreme court with the *Plessy v. Ferguson* decision. This decision ruled that segregation of interstate transportation was illegal, but states could segregate intrastate transportation as long as equal access was provided.

John Harlan from Kentucky, as the one dissenting justice, was far ahead of his time when he said in his opinion: “Our Constitution is color-blind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law... “. He felt that *Plessy* would allow states to <sup>en</sup>act laws taking away rights given to colored citizens by the 14<sup>th</sup> Amendment.

John Harlan was right; Jim Crow laws had been enacted that had taken away many rights guaranteed to all races and creeds. Bus segregation laws in the south were among these. Not only did they violate equal rights, but it served as a means of lowering the self esteem and self worth of black citizens. While most whites saw no discrimination in these laws, many blacks were looking for ways to overturn them.



Jo Ann Robinson came to Montgomery in the fall of 1949 as an English instructor at Alabama State University, a black university in Montgomery. Just before Christmas in 1949, she boarded a City Lines bus to the airport on her way home to Cleveland for Christmas. She was loaded with luggage and packages of gifts and absentmindedly took a seat in the front of the bus almost empty bus. In telling her to move to the back of the bus, the driver was so verbally abusive that she fled from the bus leaving her packages of gifts behind. She later said that she cried almost all the way to Cleveland. That incident galvanized her desire to mount a major protest against the bus company and city officials. She became a member of the of the Women's Political Council, an organization composed of professional women working to improve the life of black women in Montgomery.

E. D. Nixon was a Pullman porter and President of an Alabama chapter of the Brotherhood of Sleeping Car Porters an almost all black union that had been founded by A. Philip Randolph. Randolph was a leader in the national movement to obtain equal rights for blacks and his teachings greatly influenced Nixon's belief system that led him to struggle for the rights of blacks in Montgomery. He was active in the NAACP and the "go-to" man for blacks who had a grievance with the white establishment. He and Jo Ann Robinson were looking for a situation to challenge the segregated bus system.

I should perhaps explain how the bus system worked. There were several rows of four seats each. There was a back door to the bus located on the right side about 2/3rds of the bus's length from the front. Behind the back door, there was one row of four seats and behind that bench on the sides and across the back. A sign saying "Colored" on the backs of a center row indicated that blacks were to sit, or stand, behind that line. If however, the white section was full and seats were available further back, blacks could be asked to move back opening seats for the white overflow. It might be only one white person needing a seat but the whole row had to be cleared. The law specifically stated that no black had to move if seats were not available in the back, but drivers did not always follow this section of the law. Several other degrading aspects of the treatment of blacks were: their not being able to sit in front of the "Colored" line when seats were available, their being made, by some drivers, to exit the bus and reenter by the back door after paying their fare and the verbal abuse many suffered.

In March of 1955, Nixon and Robinson thought they had their case when a fifteen year old high school student, Claudette Colvin, was arrested for violating the bus segregation law.

Colvin and an older black woman had broken the law by refusing to move to the back. When the driver left the bus to call the police, the older woman moved but Claudette Colvin had to be dragged, kicking and screaming from the bus. She was charged with disorderly conduct as well as violating the segregation law.

E. D. Nixon, Rosa Parks and Jo Ann Robinson had gone to a young lawyer, Fred Grey, asking him to represent Colvin and perhaps develop a lawsuit to challenge the law. Parks was the NAACP Youth Council advisor and took a special interest in the Colvin case. "She herself had been thrown off a Montgomery bus eleven years earlier for refusing to enter through the back door. The driver of that bus, James E. Blake, had kept her money, told her to step outside, and driven away." E. D. Nixon began soliciting funds for Colvin's defense and to fund the expected appeals. He knew it would be hard to gather sympathy for Claudette because of the disorderly conduct and he discontinued his effort when it was learned that Claudette was pregnant due to a relationship with a 47 year old married man, which made it even more unlikely that hers would be a good test case.

Following Claudette Colvin's arrest, Rosa Parks had attended a workshop on race relations at Highland Folk School in Monteagle, Tennessee. The school was established during the depression to help poor people help themselves and their community. The wife of a white attorney, Virginia Durr, had become a good friend of Rosa Parks through Rosa's making of clothes for Virginia and her daughters. Rosa Parks had been a frequent visitor in the Durr home and it was Virginia Durr who had funded Rosa's attendance at the workshop. Clifford Durr had worked in Washington for Roosevelt's Reconstruction Finance Corporation and had recently returned to Montgomery after serving as a member of the Federal Communications Commission. The Durr Family was very prominent in Montgomery society as owners of the wholesale distributor, Durr Drug Company, but Clifford and Virginia had returned with very progressive attitudes toward race relations. You might say that they were the Hal and Betty Thurman of Montgomery.

On Thursday, December 1, 1955 at 4:30 in the afternoon; Rosa Parks was arrested for refusing to give up her seat to a white man. Rosa was sitting on a row of seats in the "Colored" section with two other women and a man. She was on an isle seat with the man sitting next to the window. A white man got on and there were no available seats in front or back of the bus. The driver, James Blake, the same James Blake that had thrown her off the bus eleven years ago, said: "I need those seats". When no one moved he said: "Y'all better make it light on yourself and let me have those seats." Rosa Parks stayed the others moved to the back. He asked again if she was going to get up and she said: "No I am not." He left the bus, called the police, they came and she was taken to the Montgomery police station.

After being booked she called her husband to have him come and get her out. News spread quickly of her arrest and E. D. Nixon was notified. He called the jail to ask what the charges against her were. The person on the other end of the line said it was none of his business. Nixon tried to call Fred Grey, but Grey was out of town so he called Clifford Durr. Durr called the jail and was told the circumstances and what the bond would be. He, Virginia and E. D. Nixon went to the jail to bail Parks out and the Jailer asked Durr for the \$100.00 bail. Nixon let the jailer know that the charges might not be his business but he was the one who would pay the bond. It is interesting to note that again the segregation law was not violated and Rosa Parks', charges were reduced to disorderly conduct. The arrest made the morning paper as a four inch column on page 9A with the headline: "Negro Jailed Here For 'Overlooking' Bus Segregation. Few in the white community were even aware of it.

The group left the jail and went the Parks' home where Nixon asked Parks if she would allow her arrest to be used to challenge the bus segregation laws. After talking with her husband and mother, Parks agreed to the request. Leaving the Parks residence, Nixon called Jo Ann Robinson who had heard the news and had already conferred with Fred Grey. They all felt that a one day boycott would be a good beginning to a long-term legal challenge.

Nixon knew that for a boycott to be effective, he would have to enlist the black clergy in the planning and implementation. He spent the evening of December 1 developing a list of the people he felt were essential, including clergy and other black leaders of Montgomery.

Robinson had been lobbying for organizing a boycott for months. After talking with Grey, she immediately set the wheels in motion. By midnight she had written a flier informing the black community of the plan to boycott the buses on Monday, December 5 the day of Rosa Parks' trial in city court. She had gotten the OK from the head of the business department at Alabama State to use the department's mimeograph machine to print the fliers. Aided by two of her students, the fliers were printed and bundled by 4:00 am on December 2, less than twelve hours after Rosa Parks' arrest. The fliers were distributed by Robinson's students to children at black schools to be taken home to their parents, to black business, to churches and other places where people might congregate.

E. D. Nixon began calling people by first calling Reverend Ralph Abernathy the pastor of First Baptist Church. Abernathy agreed to call several of the other ministers and civic leaders in the black community and Nixon called an additional eighteen people on the list to invite them to a meeting to be held that evening. One of the people Nixon called was the young minister at Dexter Avenue Baptist Church, Martin Luther King Jr. King had come to Montgomery in September, 1954 as a 25 year old, newly married minister, who was in the process of completing his doctoral dissertation in Systematic Theology at Boston University. In November, 1955 his wife had given birth to their first child and he was reticent to get involved, telling Mr. Nixon, he would think about attending the meeting and get back to him. Rev. Abernathy called King and convinced him to attend.

That evening there were as many as 70 people in attendance at the meeting with Reverend L. Roy Bennett, president of the Interdenominational Ministers Alliance chairing it. He was an older man, full of his self importance. He spoke at length and when others tried to gain the floor, he told them: "there was no time for discussion. It was time for the ministers to begin organizing committees to carry out the action". By the time he was finally forced from the floor as many as 75% of the original participants had left in disgust. The remaining agreed to spread the news

about the Monday boycott at Sunday services, and for the call of a mass meeting for Monday night at the Holt Street Baptist Church.

Discussions between some of the younger leaders during the weekend led to the conclusions that a new organization not associated with a particular church was needed and that the head of the new organization should not come from the old leadership. The new organization would prevent the white community from retaliating against a particular church and a young leader would suppress some of the long standing rivalries within the black community.

E. D. Nixon furthered the cause of the boycott by calling a white reporter for the Montgomery Advertiser. He said: "I've got a big story for you and want I you to meet me." He told the reporter, Joe Azbell, about the one day boycott and that the ministers had planned to put it before those in attendance at the Monday night meeting as whether the boycott should continue. The news of the boycott and the meeting made the front page of the Sunday Advertiser, further informing the black community of coming events.

Monday morning came and only a handful of blacks used the buses. An interesting anecdote was told by the reporter, Joe Azbell. He had gone downtown at 5:30 am and had observed a solitary black man standing at a bus stop. As he watched, a bus pulled up and its door opened. The man just stood there staring at the driver. "You gonna get on?" the driver asked. Silence. Again: "You gonna get on?" "I ain't gettin on," the man shot back, "until Jim Crow gets off."

That evening more than 4,000 people filled the church and thousands more assembled outside to listen to the proceedings through loud speakers. Rufus Lewis, a member of Dr. King's church and rival of E. D. Nixon's in the NAACP, put Martin Luther King's name in nomination for president of the Montgomery Improvement Association, the new organization. King was elected unanimously and the crowd overwhelmingly agreed to continue the boycott. Other officers were elected and a transportation committee appointed to provide a share a ride system for people who did not have access to a car or lived to far from their work to walk.

Churches brought a fleet of station wagons, individuals shared rides with others and pickup points were established. Many whites began transporting their employees. The city tried to get insurance companies to cancel policies of the church vehicles. They brought charges of operating taxi services without a license and many other things to halt the black transportation system, but to no avail.

Three demands were established by the MIA for negotiations with the city:

1. A back-to-front and front-to-back seating policy was to be put in place. That is, as blacks boarded the buses they would begin filling seats from the back working toward the front while whites would fill seats from front to back with all seats being on a first come, first serve basis.
2. Blacks were to be treated courteously by bus drivers, and
3. The city was to begin the hiring of black drivers, at the least, for routes in predominantly black neighborhoods.

They were not asking that the segregation laws be overturned. They were only asking that a system already in use in two other Alabama cities, Mobile and Huntsville, be adopted and for fairer treatment of their race. Today, we would say that their demands were reasonable and quite restrained. The city commissioners, however, saw them as an attempt to destroy the southern way of life and refused to negotiate. They felt that blacks would soon give up the fight if they held firm. Blacks on the other hand knew they had a strong bargaining chip. They represented only 40% of the population but 75% of bus rider ship.

By February 1956, both sides were entrenched. The mayor saw no need for further negotiations and had directed that all of the black leaders be charged with violating a city anti-boycott law. Eighty people were arrested on the charge but only King was tried and convicted. Blacks saw the need for a second approach. Fred Grey with the help of Clifford Durr filed a lawsuit, *Browder v. Gayle*, in Federal court seeking to overturn the bus segregation laws. The plaintiffs in the case were Aurelia Browder, a housewife; Susie McDonald an older women; Claudette Colvin and Mary Louise Smith, an eighteen year old, arrested on charges similar to those of Colvin's. The defendants were the mayor of Montgomery, W. A. "Tacky" Gayle, and the city.

Rosa Parks was not used in the lawsuit because her case was still under appeal in state court as well as for other legal reasons.

Judge Frank M. Johnson Jr., newly appointed to the Middle District of Alabama was to hear the case. Johnson was a tall, raw boned, tobacco chewing lawyer who had grown up in Winston County of northwest Alabama. Men of Winston County had refused to fight against the union in the 1860's and many traveled north to join the union army. Prior to the Civil War, few slaves were owned in Winston and surrounding counties and during Johnson's childhood there were only about a dozen black families in all of Winston County. Johnson had not grown up in the caste system that marked most of the south. He, like his parents was a Republican and had served as a delegate to the Republican National Convention in 1948. He served as U.S. District Attorney for the Northern District of Alabama from 1953 through 1955. He received a recess appointment from Eisenhower to the federal bench on October 22, 1955. He was later nominated and confirmed by the Senate on January 31, 1956. The day before *Browder v. Gayle* was filed.

Johnson felt that the importance of the case indicated that it should be heard by a three judge panel. He approached this with Judge Joseph Hutchenson, the chief judge of the Fifth Circuit, who told him to go it alone. On his third request, Judge Hutchenson relented; the case went to trial before the panel on May 11, 1956. Claudette Colvin, the girl who wasn't wanted, proved to be the star witness for the plaintiffs.

A two to one decision was rendered in favor of the plaintiffs with District Judge Seybourn Lynn of Birmingham casting the dissenting opinion. He based his opinion on *Plessy v. Ferguson*, saying that it was still the law. Johnson and Appellate Judge Richard Rives held that you could not square segregation in public transportation with desegregation of schools in *Brown v. Board of Education*. The decision was published on June 5, 1956; and the city immediately appealed the decision to the U.S. Supreme Court. The Supreme Court expedited the case and their decision affirming the lower court's was handed down on November 13, 1956. The State of Alabama asked for a rehearing by the Supreme Court. It was denied, and on December 20, 1956



the city and state were served with an injunction prohibiting segregation on the buses. Blacks returned to the buses on December 23, 1956, 318 days after the boycott began.

I spent the summer of 1956 in Alexandria, Virginia; returning in October only to leave again after joining the Air Force in January 1957. I spent most of the next four years at Lowry Air Force Base in Denver, Colorado. There, two of my best friends were black, one was from Kansas City and one was from Tuskegee, Alabama. The Kansas City friend had a degree from Kansas State, was married with children and had joined the Air Force because he could not find any other employment. My Tuskegee friend, like me, just wanted to get away from home.

In January of 1961, I returned to Montgomery and was there during the "freedom rides" of that spring where I witnessed some of the violence. I was a senior at Huntingdon College in the spring of 1965 and witnessed the ending of the Selma-to-Montgomery march. A fellow student and I stood behind a barricade beside Dexter Avenue Baptist Church, King's former church. We were behind the barricade we had been told by Huntingdon staff not to participate in any of the march activities. We felt that by standing behind the barricade that we were not participating, only observing.

Briefly returning to what started my thinking about this topic, I see here in Hopkinsville some of the separation between races that existed in Montgomery during my youth and because of that separation lack of understanding by both races. I witnessed the decade of the modern civil rights movement, 1955 through 1965, where much of the struggle occurred. Montgomery today is far different from the Montgomery of that era. Hopkinsville, I am sure, is far different now than it was then, but we have a ways to go.