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THE POLITICS OF PROTEST; AN ANALYSIS OF THE  
CIVIL RIGHTS MOVEMENT IN THE UNITED STATES.

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## Abstract

This thesis examines the civil rights movement from its inception in 1955, with the Montgomery bus boycott, to its decline at the end of the 1960's. It offers an explanation of the upsurge in black political activity and the adoption, and subsequent abandonment of some blacks, of the nonviolent tactic. Investigation of the background of black politics illustrates the development of protest from early supplication to the strident demands of Black Power. It assesses the successes and failures of the campaigns by focusing on black leaders and their interrelationships, as well as indicating the diversity and heterogeneous nature of the movement. Special attention is paid to the reaction of the government to black activism and to the forces that contributed to the passage of legislation, which attempted to solve particularly black problems. The white reaction to black successes, and the part it played in curtailing further advances, is also taken into account. The conclusion attempts to dispel certain popular misconceptions about the movement and an analysis is put forward of the progress made by blacks and of the reasons why they failed to consolidate their success in the 1970's.

## Acknowledgements

Few theses are the product of just one persons labour. This was certainly true in the preparation of this work. I would, therefore, like to thank Dorothy and Jean for their patience and humour while typing the script and Andrea for all her support. Her inherited talent for proof reading is only surpassed by her natural ability at spelling. Most of all, my thanks go to Robert Williams, whose efforts to help me curb the excesses and improve on the failings in my work have been endless. His inspiration, both practical and liquid has, to a large extent, been responsible for the completion of this thesis, although the remaining errors are mine. The funding for my time at Durham and my research abroad was kindly provided by the Department of Education for Northern Ireland.



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## Preface

The purpose of this thesis is to examine and explain the development of the civil rights movement in the United States. The main focus is on the events of 1955-68, but this will involve an investigation of the background to these events, and the factors involved in shaping them. The inquiry will focus specifically on the evolving strategies, tensions and problems of the movement, and on its key personalities. The conclusion will draw together a variety of themes of historical and contemporary significance.

The primary approach of this study is historical, but the narrative does not stand alone. A narrative account of how the civil rights movement flowered and withered, presents a danger that the reasons why black protest began and developed, where and when and in the form it did, can be overlooked. Black political activity is, therefore, placed in the broader context of the political and social environment in which it occurred. Thus, the thesis is concerned to explore the extent to which civil rights agitation was a response to, or an interaction with, other social, political and economic changes. Reactions to the civil rights movement, and the implications of black activism for the Negro are evaluated.

Before discussion can begin, there must be some clarification of my terms of reference. The shorter Oxford English Dictionary defines a movement as , "a series of actions and endeavours by a body of persons, tending more or less continuously, towards some special end". This seems to meet the objection that the civil rights group were not closely

linked, or bound together under an umbrella organization. It also accounts for the lack of a specific programme of action.

A more specialized definition is given in A Dictionary of Political Analysis by Geoffrey K. Roberts. He states a movement is, "a collective grouping that seeks to bring about major changes in social institutions, or (in the case of revolutionary movements, e.g., an independence or separatist movement) even an entirely new order, involving the use of political means at some stage. A major feature is their possession of some very basic common purpose, or even ideology, which in turn generates a strong sense of group identity, and may encourage the emergence of charismatic leadership".<sup>(1)</sup> This definition allows for the presence of such differing groups as the Black Muslims and the Southern Christian Leadership Conference (S.C.L.C.), and the diversity of purpose between them. A movement, therefore, need not be a structured, well-defined entity, and so it seems appropriate for use in this thesis.

My objective is to produce an account which identifies and delineates the major catalysts which triggered, sustained and eroded the civil rights movement. In establishing a proper context, it is necessary to examine both the birth and development of the main black organizations and the timing and escalation of protest.

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(1) G.K. Roberts: Dictionary of Political Analysis (1971 Longman, London); page 129.

Chapter two assesses the career of Martin Luther King, Jr., in view of non-violent mass action in preference to alternative strategies and suggests why some campaigns succeeded when others failed.

Chapter three deals with civil rights legislation and how it was passed. It will focus on the content of legislation and compare the various approaches of successive administrations. This national legislative and executive response is one indication of how the civil rights movement was viewed from outside.

Chapter four reflects the growing militancy of the movement through a study of another major figure, Malcolm X. The development and change in his views and policies and the legacy he left to his followers will be investigated. The effect of an alternative to the non-violent idea on the Northern blacks will be analysed.

Malcolm X was influential in the formation of the ideology of Black Power and chapter five addresses the origins and coherence of the concept. It examines the divisive impact of Black Power on the movement and assesses its political influence and relevance.

The final chapter will investigate the white reaction to black political activity during the period. The term 'white backlash' will be analysed, with particular reference to the extent to which this phenomenon was responsible for the political success of George Wallace. The effect of legislation proposed and passed in 1966 and 1968 and the role of the

administration will be considered.

The conclusion will assess the overall gains made by the movement while drawing together the methods and means by which it made them. An analysis of why the movement failed to capitalize on their earlier success in the 1970's will be undertaken. Assessment will be made of the way in which government reacted to the activity of the movement and lastly certain myths that have been popularized will be exposed and refuted.

## Chapter One

### Background to the Movement

An investigation of black protest in the 1960's necessitates some analysis of the background of the Negro struggle for equality. A major campaign, which attacked constitutional interpretation and established social and political practices, does not spring into life fully formed and articulated. It is the result of the interplay of social, economic and political trends, which create an environment that is both conducive and receptive to certain kinds of political activity.

It is important, therefore, to show how the major black groups began, the different paths they followed and how they joined together in a loose alliance in the early 1960's. Certain questions must be answered about why Negro protest became so widespread in this period, when previous agitation had failed to produce such a reaction. What factors and pressures were responsible for the beginning of legislative action on behalf of the Negro in the 1950's and its continuation in 1960's? Why did the Montgomery, Al., bus boycott happen where and when it did?

To assess why the explosion of black activism occurred, the different stages of black politics will be examined to show how and why the legal approach of the 1950's was later replaced by non-violent direct action. This represents only one strand of black political history, and so the Marcus Garvey movement will also be investigated to illustrate the more militant ancestry of black nationalism.



In May 1910, a group of prominent white liberals joined with several middle-class blacks to form the "National Association for the Advancement of Coloured People" (N.A.A.C.P.).<sup>(1)</sup> It adopted a programme which included the abolition of mandatory segregation, equal education, Negro enfranchisement and the enforcement of the Fourteenth and Fifteenth Amendments. The stimulus that promoted its inception was the Springfield, Il., riot of 1908, which resulted in major destruction and several deaths.<sup>(2)</sup> It was understandable, therefore, that the new organization would also have as an early priority, a campaign against lynching which was at the heart of many of the racial disturbances of the time. The first action taken, by the rapidly growing N.A.A.C.P. was the initiation of law suits to improve the position of the Negro in society. In 1915, the Supreme Court declared "grandfather clauses"<sup>(3)</sup> in state constitutions null and void. In 1917,<sup>(4)</sup> the Court declared unconstitutional the Louisville, Ky., ordinance which required Negroes to live in certain sections of the city.

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(1) See, Charles Flint Kellogg: N.A.A.C.P. A History of the National Association for the Advancement of Coloured People Volume I 1919-20, (1967, John Hopkins Press, Baltimore.)

(2) 5,000 soldiers were needed to restore order when a white mob attacked the Negro area of the city. Two Negroes were lynched, four white men killed and seventy people injured.

(3) The 15th Amendment of the Constitution prohibited any law explicitly restricting the vote to whites, since this would involve a reference to "race or colour". The grandfather clauses restricted registration for voting to those persons who had voted prior to 1861 and their descendants, or to persons who had served in the Federal or Confederate armies and their descendants. The clauses were struck down in Guinn vs United States (288 U.S. 347)

(4) In Buchanan vs Warley (245 U.S. 60).

In 1911, the "National League of Urban Conditions Among Negroes" was formed, which later became known as the "National Urban League". With finance from white philanthropists, the League attempted to open new opportunities for Negroes in industry and to assist the growing numbers of Negro migrants from the South in adjusting to city life. Programmes were started for meeting migrants, directing them to jobs and lodging and giving them general information. During World War I, the League helped place Negroes in war employment in Northern industry and informed them of the resources of the social service agencies available.

Despite this increase in liberal concern for the Negro, conditions in the North were deteriorating. The end of the war had reduced the number of jobs in industry, many of which were now being taken over by demobilized white servicemen. Both the League and the N.A.A.C.P. were interracial, but begun by white initiative with mainly white leadership. Those blacks involved were middle-class intellectuals and they made little mass appeal to the ghetto Negro.

It was at this point that Marcus Garvey arrived in America in 1915. In his birthplace of Jamaica, he had organized the "Universal Negro Improvement Association" (U.N.I.A.) in 1914. Its purpose was "to unite all the Negro peoples of the world into one great body to establish a country and a government absolutely of our own".<sup>1</sup> Garvey began a speaking tour of thirty-eight states and met black leaders. He was scornful of upper-class Negro leaders because of their reliance



on white philanthropists and denounced them for being ashamed of their black ancestry and for desiring to assimilate into the white race. Garvey found large numbers of West Indians isolated from native Negroes in Harlem and used them to establish his organization in America. He travelled extensively establishing branches of U.N.I.A. in most urban centres of Negro population. The movement gained unexpected publicity in 1919, when he was wounded in a gun attack by an insane former employee. The assault assumed heroic proportions in the Negro press (including his own newspaper) and Garvey quickly became, to some, a persecuted martyr, working for the salvation of his people.

Garvey seemed to fulfil a need; someone to organize and inspire the black masses who had hitherto been uninvolved. His ability to reach these people was boosted by the establishment of the newspaper "Negro World" in 1918. In it, Garvey pushed his nationalist message that the only hope for American Negroes was to return to Africa, build a new Negro nation and develop their own culture. He emphasized the regal splendours of ancient Africa and delighted in references to the greatness of coloured civilizations when white men were still savages. By exalting everything black, preaching the purity of the race and teaching African history, he instilled a new pride of ancestry in his followers. This emphasis on "racism" had the paper cited by the Department of Justice in a report on Negro radicalism in 1919. The paper was published weekly between 1918 and 1933 and reached a circulation of 200,000. While this suggests a much

smaller membership than Garvey's claim of six million, several scholars still estimate the peak at between one and two million.<sup>(1) 2</sup>

Using membership dues and profits from the newspaper, Garvey was able to buy a large auditorium in Harlem, which was rechristened "Liberty Hall" and became the headquarters for U.N.I.A. In order to establish business enterprises on a large scale to try and ameliorate Negro economic problems, Garvey formed a steamship company, the Black Star Line, and secured a broad charter of incorporation from the State of Delaware. To raise further finance the company was capitalized at \$500,000 composed of 100,000 shares of stock valued at \$5 each. Sale of stock was limited to Negroes and established as a strictly commercial venture not, as his critics claimed, to be the vehicle for the transportation of all blacks back to Africa. However, Garvey, always the master propagandist, skillfully exploited this misinterpretation.<sup>(2)</sup> By 1920 three

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- (1) The actual membership of Garvey's organization is the subject of some controversy with many writers (E.D. Cronon, "Black Moses. The Story of Marcus Garvey and the Universal Negro Improvement Association", (1962); T.G. Vincent, Black Power and the Garvey Movement, (1971); A.M. & C. Rose, America Divided, Minority Group Relations in the United States, (1948); A. Pinkney, Red, Black and Green. Black Nationalism in the United States, (1976) and St. Clair Drake and H.R. Clayton, Black Metropolis, The Study of Negro Life in a Northern City, (1962).) The majority settle for a membership of nearly one million, or between one and two million "followers". The major reason for the discrepancy between circulation and membership is that very few of Garvey's ghetto followers could read and as a result the newspaper was usually read aloud to mass meetings.<sup>3</sup> Myrdal describes it as the first and, up to this time, (1944), the only real mass movement of Negroes on a national scale.<sup>4</sup>
- (2) Garvey's severe critic Dr. W.E.B. Du Bois said in Dusk of dawn, (1940) (quoted in Cronon Black Moses (1962); page 204), "Garvey proved not only an astonishingly popular leader, but a master of propaganda". The rest of the statement was less complementary.

ships had been bought, and Garvey was able to sell thousands of shares by pointing to the rare actuality of a Negro company with Negro workers, in contrast to the manifesto and programmes achieved by other groups. In February 1920, the line was recapitalized at \$10 million, and despite N.A.A.C.P. detractors pointing out that this had nothing to do with the actual solvency of the company, it was excellent sales propaganda. Garvey was riding the crest of a wave, and many poor blacks apparently believed he was leading his people to economic prosperity and social self-respect.

Garvey also established the Negro Factories Corporation which managed a chain of co-operative grocery stores, a restaurant, a publishing house, a tailor's shop, a millinery store and other businesses. One of the more spectacular accomplishments of U.N.I.A. was the first "International Convention of the Negro Peoples of the World", held in New York in August 1920, attended by some 25,000 delegates from 25 countries. U.N.I.A. held a mass march through Harlem, including military units such as the African Legion, the Garvey militia and the Black Eagle Flying Corps, whose ultimate goal was the reconquest of Africa. Garvey told the delegates:

"We shall now organise the four hundred million Negroes of the world into a vast organization, to plant the banner of freedom on the great continent of Africa... the barrier is the White man."<sup>5</sup>

The speech was cited in the "Lusk Report on Radicalism

and Sedition in New York State".<sup>(1)</sup> The delegates also drafted a declaration of Negro rights embodying equality, self-determination and a free Africa.

This marked the peak of Garvey's influence. The movement was built on his personal charisma, rather than the strength of the whole organization. Events soured when one ship sank in the Hudson River, and a second was sold at the direction of a judge to pay for a fine. In January 1922, Garvey was arrested on a charge of using the mail to defraud in connection with the sale of his stock. Garvey was found guilty and jailed pending appeal. He was convicted again and sentenced to five years in jail in 1925. After two years, President Coolidge commuted his sentence, and he was deported as an undesirable alien. With his imprisonment and subsequent deportation, U.N.I.A. suffered greatly from lack of leadership. Garvey had, through lack of trust of intellectualism refused, in many cases, to appoint appropriate personnel and had relied on less competent, but more loyal, employees. Even greater mismanagement than his own, combined with a severe loss of finance, caused by the Depression, which hit blacks even harder than poor whites, dealt a death blow to U.N.I.A. Garvey travelled abroad, seeking support for the declining organization, which was further weakened by a split over where the headquarters should be. Despite a resurgence of interest at the time of the

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(1) This Committee was created to investigate seditious activities in New York State and it devoted 44 pages to Negro press in a report called Revolutionary Radicalism: A Report to the Joint Legislative Committee of New York Investigating Seditious Activities, Volume II (1920, J.B. Lyon, Albany N.Y. pages 1476-1520

invasion of Ethiopia, the decline continued and by the time of Garvey's death in 1940, U.N.I.A. had, to all intents and purposes, ceased to function.

Garvey is often referred to as the "father of black nationalism".<sup>6</sup> While he was often unclear as to the scale of repatriation and its timing, Garvey was adamant blacks should return to Africa with white America's help. He petitioned the United States government and the League of Nations for assistance, and even planned military reconquest in the event of the colonial powers not giving up land to American blacks. Although accused of racism because of his views on racial purity, Garvey's concern was the liberation of Negroes and he only discouraged interracial breeding to try and promote black unity. Despite his widespread popularity, Marcus Garvey left hardly anything of concrete permanence to further black equality. His lasting contribution was not political gain for his people or an organization that carried on after him, but he did more than anyone before him to stimulate racial pride and confidence among Negroes in America. Although such an impact is impossible to quantify it may still be of enduring importance. At a time when racism was at its peak, Garvey built a black nationalist movement that became the largest ever seen and from a mood of hopelessness, created a new feeling of racial pride in many poor blacks and pointed to the need to involve the mass of black people to make real gains for the Negro.

The N.A.A.C.P. was pursuing a policy of lobbying and litigation during this period. It succeeded in 1921 in getting

Representative L.C. Dyer of Missouri to introduce an anti-lynching bill which passed the House, but was filibustered in the Senate. In 1927, the Supreme Court declared void a Texas statute which excluded Negroes from Democratic primaries.<sup>(1)</sup> This was followed by the establishment of a constitutional right to vote in all primary elections in the 1944 decision of Smith vs Allwright.<sup>(2)</sup> Despite their rigorous efforts the N.A.A.C.P. failed to attract support from more than a small minority of Negroes. They achieved ends beneficial to all Negroes, but failed to capture their imagination and secure the following of the people.

Between the wars, the Urban League continued to grow. Since it was concerned with the employment of Negroes in industry, it had to face the problem of the exclusion of Negroes from many unions and hence many jobs. It was accused, by Dr. Ralph Bunche, of being evasive in its attitude towards unionism because of its dependence on white philanthropy and the "business class structure"<sup>7</sup> of its board. The League replied that it was not a mass movement, but an interracial undertaking with the aim of securing employment for Negroes, rather than "organizing labour"<sup>8</sup> or leading mass actions. The most significant step towards the unionization of Negroes was the organization of the "Brotherhood of Sleeping Car Porters" by A. Philip Randolph in 1925. Considerable opposition arose from both white and black groups and it was attacked

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(1) In Nixon vs Herndon (273 U.S. 536)

(2) (321 U.S. 649)

as a dangerous and radical organization. However, the wage agreements in 1926 and 1929 gave it partial recognition and it gained full recognition when more than 8,000 employees benefited from a large wage increase under an agreement made in 1937.

The Urban League and the N.A.A.C.P. remained the sole groups representing the Negro's attempt to win further rights until 1942. James Farmer, a former Methodist clergyman, was among a group of Negroes and whites who formed the "Congress of Racial Equality" (C.O.R.E.) in 1942, because they felt "legalism" was not sufficient to win the battle against segregation. Farmer served as C.O.R.E.'s first national chairman and led the group in pioneering the use of direct action techniques of protest in the cities of Northern and Border states. C.O.R.E. chapters conducted picketing and sit-ins of public facilities such as lunch-counters, restaurants and hotels to protest segregation and won a number of important, though limited, victories. In 1947, he led C.O.R.E. members on a "freedom ride" to test discrimination on trains engaged in interstate travel and to discover to what extent states had complied with the 1946 Supreme Court decision, declaring racial regulations illegal on interstate travel. (1) Although the "Journey of Reconciliation", as it was called, was completed, it was on a small scale and because it met only slight resistance was given little publicity.

In the late 1940's and 1950's, C.O.R.E. grew considerably. Campaigns began in St. Louis and Baltimore to combat discrim-

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(1) In Morgan vs Commonwealth of Virginia (328 U.S. 373)

ination in restaurants. Despite being slow to bring gains (the St. Louis effort lasted five years) these campaigns were successful at a local level. Although they did not start any nation wide reform movement, they did gain concessions on the serving of blacks in public facilities in Border States. James Farmer summarized the organization pre-1955 as "small, Northern, middle-class, elitist, idealistic and predominantly white. We had not yet heard the voice of the masses. Nor, for that matter, had many people heard us."<sup>9</sup>

Other factors were at work to bring the racial situation in America to the forefront. Beginning in the years prior to World War I, numbers of Southern blacks migrated northward to find work. With the growing demand for workers created by the war, the curtailment of European immigration and the decline of Southern agriculture as an employer, the movement expanded rapidly as blacks sought economic opportunity and greater freedom in Northern Cities. In 1910, roughly 10% of American blacks lived outside the South, but by 1940, the figure was nearly 25%, almost half of which lived in six major cities. The migration continued and even accelerated after World War II as Southern agriculture underwent technological change. Displaced by new machinery and farming techniques, Southern blacks continued to move North and their numbers there doubled between 1940 and 1960.

The movement of blacks to the North opened the door to



practical political influence for them for the first time since Reconstruction. Concentrated in large cities and allowed the vote, blacks were able to elect their own representatives at the state and local level. The New Deal brought an abrupt shift in party allegiance as blacks, along with the white working-class, voted for the social welfare policies of the Democrats and Franklin D. Roosevelt. Northern blacks became a crucial component of the New Deal coalition that made the Democrats the majority party. The vote began to be an important tool for winning small concessions and, in later years, for making racial discrimination an issue the Democratic party in the North could no longer ignore.

The example of the limited rights accorded to blacks in the North, was noted by the blacks remaining in the South. This realization of the inequality of their position in Southern society and the fact that it need not be permanent, was increased after World War II. American participation in the struggle against fascism highlighted the contradictions between the nation's international stance against Hitler's racism and its treatment of racial minorities at home. The war heightened racial consciousness of blacks, and by 1946, the N.A.A.C.P. had grown to one thousand branches, triple the postwar number, and had increased its membership ninefold, to nearly half a million. President Truman, responding to civil rights delegations, established a Presidential committee on civil rights to investigate racial conditions and to make recommendations.

The report, issued in 1947 "To Secure These Rights,"

catalogued the pervasive denial of basic civil rights and civil liberties to blacks, and made the first official condemnation of the "separate but equal" doctrine that had been enshrined in the 1896 Plessy vs Ferguson<sup>(1)</sup> decision. Truman pressed Congress for civil rights legislative action, but met stiff opposition from Southern Senators and he retreated by not drafting an Administration Bill or adopting a civil rights plank in the Democratic platform. However, such a plank was introduced to the convention by a young Hubert Humphrey and adopted after pressure from the party's moderate centre. The extreme Southern segregationist reaction saw the formation of the "State's Rights Party"<sup>(2)</sup> and the nomination of South Carolina's governor Strom Thurmond as its Presidential candidate.

The 1948 Presidential election thus became the first in which civil rights played a prominent role. Truman, now on the offensive, issued two Executive orders aimed at eliminating racial discrimination in federal employment and in the armed forces. In the closing weeks of the campaign, he spoke out forcefully for racial justice. Truman won the election and took nearly 70% of the black vote. Hopes for legislative gains, however, were disappointed when an attempt to modify the Senate's cloture rule, to ease the passage of a civil rights bill, was filibustered. Civil Rights were put

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(1) (163 U.S. 537)

(2) Known as the "Dixiecrats" <sup>1948</sup> they won four traditionally Democratic states in the election.

aside and priority given to social welfare measures and to ratification of the pact establishing N.A.T.O. The outbreak of the Korean War, and the splintering of liberal forces under the attacks of Senator Joseph McCarthy, pushed civil rights further from national view, while the intensification of the Cold War dominated President Truman's attention.

The N.A.A.C.P. had been supporting a legislative push during this period, but at its annual convention of 1951, perhaps influenced by the decay of the Truman Presidency, it decided to concentrate on challenging the constitutional basis of Southern segregation statutes. Focusing on elementary school education, its legal division, under Thurgood Marshall, now moved beyond the insistence that black schools should be upgraded until they were equal to white schools. Instead, the lawyers argued that separate schools were, by their nature, inherently unequal. The N.A.A.C.P. initiated several suits against segregation in elementary school education, and, in May 1954 Chief Justice Earl Warren delivered a historic judgement on these cases, grouped together as Brown vs Board of Education of Topeka, Kansas. (1) He stated that, "in the

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(1) "Brown" (347 U.S. 483), was the final blow to the "Plessy doctrine. However, several prior cases had effectively undermined it. In 1938, Missouri ex rel. Gaines vs. Canada (305 U.S. 337) in 1948, Sipull vs Oklahoma (322 U.S. 631) and 1950 Sweatt vs Painter (339 U.S. 629) and McLaurin vs Oklahoma State Regents (339 U.S. 637). Further information on these cases can be gained in H.J. Abraham: Freedom and the Court, Civil Rights and Liberties in the United States, (1972, Oxford University Press, New York), pages 305-10.

field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal".<sup>10</sup>

This was a landmark decision that broke the legal, institutional and constitutional back of segregation. It marked a watershed in the struggle for civil rights, because the weight of constitutional law has since been on the side of the black and racial equality. In May 1955, the Court handed down its implementation decision<sup>(1)</sup>, ordering desegregation to proceed with "all deliberate speed",<sup>11</sup> but leaving the responsibility for compliance with local school boards and federal district court judges in the South. The court was probably acting with the best of motives, in the hope that the federal district courts would act with firmness and speed and a prompt start would be made, while still assuaging the white South by not setting a date for compliance. It is also probable that even if the Court had ordered immediate compliance, similar or even greater resistance might have been encountered. However, it succeeded in arming the recalcitrant South with a device for delay and resistance.

Until the Brown decision, most of the pressure for civil rights had come from the North. N.A.A.C.P. chapters in the South tended to restrict their activities to litigation. White

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(1) 349 U.S. 294 (1955)

racism was too virulent, and the threat of violence too great, for Southern blacks to engage in public protest. Rural and small-town blacks remained oblivious of any civil rights pressure that was growing in the country. However, the Brown decision affected every black family with children and aroused very many blacks to action. During the summer of 1955, an emboldened N.A.A.C.P. filed desegregation petitions with over 170 school boards in 17 states. Nineteen district court rulings on local school segregation laws, delivered in 1955, upheld integration in schools. As C. Vann Woodward described it, <sup>(1)</sup> "previously submissive Negroes were rising" and "something very much like a panic seized parts of the South". White supremacists rallied and launched a movement of massive resistance against the Brown decision. The Citizens Council grew rapidly and virtually silenced the voices of moderation in the South, by ostracizing white liberals and using economic retaliation and sometimes violence, against blacks advocating segregation.

Politicians joined the reaction. In January 1956, four Southern governors promised to use the power of the state government to prevent desegregation. In March 1956, 101 Southern members of Congress signed the "Southern Manifesto", praising those states resisting integration and attacking the Supreme Court. In the spring of 1956, two North Carolina Congressmen who had not signed were defeated in the state

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(1) In The Strange Career of Jim Crow, (1966, Oxford University Press, New York); page 154.

primaries. Under this pressure, desegregation ground to a halt. Resistance peaked in 1957-58 with the Little Rock crisis. President Eisenhower reluctantly sent federal troops to Arkansas to maintain peace and allow black students to enrol in the high school. This action was not primarily due to superior motives and support of the Brown decision. It was carried out essentially because Governor Faubus, in defying a federal court injunction, had directly challenged the President's authority.

The significance of the Brown decision must not be understated. It came at a time when other paths had been blocked. President Truman, although sympathetic to the rights of blacks, realized, after a Southern filibuster, that there was no realistic prospect of civil rights legislation and dropped the matter to concentrate on social welfare legislation which would still benefit the Negro. The power of the Southern filibuster in the Senate was still supreme in the field of civil rights.

When President Eisenhower took over in 1953, it marked a change whereby executive leadership in the civil rights area ended. Eisenhower even refused to speak publicly in favour in compliance with Brown and so deprived moderates of sorely needed support. Legislation as a way forward was, therefore, blocked, both through Congress and the Executive. The victory that the Brown decision represented was widely felt in the black community. When white resistance to that

decision robbed it of almost all immediate practical effect, black faith in the legal-political process was severely eroded. The stage was set for another form of action to emerge. Expectation had been aroused among blacks that at last second-class citizenship might be ending. The N.A.A.C.P.'s approach had come up against solid Southern resistance and this would have to be breached in another way.

Second-class citizen was a term easily applied to Negroes in Montgomery, Ala.. They comprised 40% of the city's 120,000 population, but their average income was less than half that of whites. Two thirds of Negro working women were domestics for whites, and nearly half the male Negro population were domestics or labourers. Over 70% of bus passengers were black, yet only whites received proper service. The first four rows were reserved for whites and only they used the front door. Negroes paid and then exited, to reboard by the rear door and they were obliged to yield their seats to whites, if so required. This treatment was probably the most constant reminder to the Negro of his inferior status in white society. For the average poor black, the vote would have been of little consequence, since he probably would have been illiterate, too scared to use it or presented with a choice between two white supremacists.

The segregation of the buses was a cause much more likely to raise the Negro from his apathy of acceptance of the system. In the previous year, several incidents had illustrated the growing discontent over the policy. A fifteen-year old school

girl had been handcuffed and jailed for refusing to yield her seat. This had led to a black committee being set up to meet the authorities and complain. Agreements were made, but the promises came to nothing. During the year, five women and two children were arrested, and one man shot dead as a direct result of disobeying a bus driver's orders. Various groups such as the N.A.A.C.P. (which was all black in Montgomery) and the Woman's Political Council had wanted to stage a boycott of the buses, and any of these incidents might have proved decisive. The defendant would have to be of impeccable character if they were to be picked by either of these groups as an example of discrimination.

The opportunity came when Mrs. Rosa Parks was arrested on 1st December 1955 for refusing to give up her seat. Since she was quiet and dignified in her refusal, she had to be charged with the violation of the municipal ordinance governing racial accommodation on publicly owned vehicles, rather than the more usual charge of disorderly conduct. Her former employer, E.D. Nixon, the head of the Alabama N.A.A.C.P., convened a meeting of the local black leaders, and they called a one day boycott of the buses by blacks. This was a huge success, with less than a dozen of the usual 17,500 Negroes using the buses. A mass meeting was held, and a continuation of the boycott approved. A new organization was formed to be named the "Montgomery Improvement Association", (M.I.A.), and the Rev. Martin Luther King Jr. was unanimously elected president. The young and articulate minister had, only three



weeks earlier, declined the presidency of the local N.A.A.C.P., but now felt he could not refuse this too. Three demands were agreed upon which fell far short of integration; courteous treatment, seating on a first-come first-served basis, Negroes from the back forward and whites from the front toward the back, and that Negro operators should be employed on predominantly Negro routes.

During the next year, the boycott remained firm, despite mounting white opposition. In January, King's home was bombed, and the next week, he and eighty-eight other leaders were indicted on charges of conspiracy to conduct an illegal boycott. The defendants were found guilty, but their fines were paid from the financial support flowing in from all over the country, eventually totalling over a quarter of a million dollars. The legal challenge to bus segregation, initiated by the N.A.A.C.P., was eventually heard by the Supreme Court in November 1956, and was upheld. The court order abolishing this segregation was delivered in December, and the boycott ended.

A major impact had been made on the whole national scene by the boycott. It was the first successful direct mass action by Southern blacks and it made the new leader, Martin Luther King, a national figure receiving world wide recognition and publicity. It pushed the clergy into the frontline of the civil rights movement. Indigenous to the area with great influence among religious blacks, they were also largely independent from reprisal from the white business community. It had established the technique of nonviolent protest as

effective and of universal appeal to all sections of the Southern black community. The publicity around the world that the boycott received put civil rights on to the front pages and, therefore, in the minds of politicians. The way had been forced open again for the legislative and legal process to work.

In his 1956 State of the Union message, President Eisenhower made his first request for civil rights legislation, recommending the creation of a bipartisan Commission to look into the denial of the franchise on the basis of race. In August 1957, Congress passed the first Civil Rights Act<sup>(1)</sup> since Reconstruction. The law established a Civil Rights Commission and authorized the creation of a Civil Rights Division in the Justice Department with power to investigate violation of voting rights. Although the new powers were reluctantly applied, and little or no progress made on actually registering new Negro voters, the Act was a big step forward. With the appointment of a new Attorney-General, William P. Rogers, in January 1960, more cases were brought, and Congress began to act to fill some of the loopholes in the Act. Legislative recognition had finally been made of the Negro's position in society. With the formation of the "Southern Christian Leadership Conference" (S.C.L.C.), in January 1957, led by the Reverend King another organization was added to the

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(1) See J.W. Anderson: "Eisenhower, Brownwell and the Congress. The Tangled Origins of the Civil Rights Bill of 1956-57". (1964, University of Alabama Press, Alabama).

struggle. This would provide another front of attack against the segregation system. Distinct from the Urban League and N.A.A.C.P. because of its mainly clerical leadership and Southern base, S.C.L.C. developed a different approach. In the summer of 1959, it began to hold non-violent training institutes and recruited growing numbers of young blacks to civil rights activism. This would form the ground from which the massive expansion of the movement would spring in the 1960's.

The bus boycott had begun in the South because it was the scene of the most blatant segregation and discrimination. The Northern black was discriminated against in more subtle ways. While he was allowed the vote and the use of public facilities, he was under-educated and underemployed. As a result, the Northern Negro live in the poorest sections of the big cities, which had grown into black ghettos. The Northern education system did not specifically racially separate children in schools; children attended their local schools, but this meant for most Negroes an all-black institution in the ghetto. The Southern black, by contrast, was disenfranchised, educated in a seaparate system and housed in a separate area, all by state law or local ordinance.

The pressure put on government by the N.A.A.C.P. and the Urban League, and by elected representatives in the North, resulting in legal victories and limited Executive action, left the South relatively untouched. National, social, and economic development had increased the standard of living, dragging that of the Negro up with it and making blacks even

more aware of, and dissatisfied with, their position. Negroes returning from the Second World War, were more likely to protest their position after fighting for "freedom" in Europe, and those returning from Korea had experienced integration in the Army and found it hard to readjust to the situation at home. The United Nations charter on human rights, that the United States supported in its foreign policy, pointed clearly to the inadequacies in American domestic policy on the race problem. The Cold War increased American embarrassment since 50% of Russian statements attacking the United States focused on the Southern treatment of the black.<sup>13</sup>

Encouraged by the N.A.A.C.P. legal victories, culminating in Brown, blacks in the South used the only form of protest that was, in practice, open to them; non-violent mass action. Marches and boycotts were the only form of protest available to the Southern Negro, since he was denied the normal democratic channel of grievance; the ballot. Not only did this means of protest provide a constructive outlet for impatience and frustration, it also fostered a sense of self-respect and dignity, so often denied to the Negro. The older organizations like the N.A.A.C.P. and the Urban League had led the way and made the initial breaches in the wall of segregation. The new organization, the S.C.L.C., with its dynamic young leader, the Reverend King, would now take the initiative and enter the new decade determined to change the old system of inequality and gain for the Negro a just position in American society.

Social, economic and political factors had all combined over the last four decades to make this effort possible.

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## Chapter Two

### Martin Luther King and the Politics of Non-violence

The Montgomery Improvement Association, (M.I.A.), had been set up with the sole purpose of organizing the Montgomery boycott. There was, therefore, no local organization to follow-up its success and no obvious new target for blacks to aim for. Martin Luther King was exhausted from the long struggle and the violence that had ensued, and so his church arranged a recuperative trip to Africa for him. On his return, he devoted himself to writing his own account of the boycott and to running his ministry. He made only a brief return to politics in May 1957, when he joined Roy Wilkins and A. Philip Randolph on a "Prayer Pilgrimage for Freedom", during which he addressed a large rally in Washington D.C. demanding the right to vote.

King spent much of his time thinking through the full implications of non-violent involvement. Some of this reflection found expression in Stride Toward Freedom.<sup>(1)</sup> In August 1957, he was visited by one of Gandhi's chief lieutenants, Ranganath Diwakar, and began to consider the relevance of Gandhi's example of physical suffering. Several biographers<sup>(2)</sup> point to this meeting as the

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(1) Martin Luther King, Jr., Stride Towards Freedom: The Montgomery Story (1959, Victor Gollancz, London)

(2) David L. Lewis in King: A Critical Biography (1970, Penguin, Baltimore) pages 96-7, and William Robert Miller, Martin Luther King, Jr. His Life, Martyrdom and Meaning for the Word (1968, Avon, New York)

reason why King decided to first go to jail in September 1957, rather than pay a \$10 fine for loitering and failure to obey a policeman. On that occasion the local police commissioner paid the fine rather than suffer the adverse publicity. That experience, and the flood of mail congratulating him on his stand, moved King closer to the Gandhian example.

Later that month, King went on a promotional trip to New York and was autographing copies of his book in Harlem, when he was nearly fatally stabbed by a mentally disturbed negress. King made a remarkable recovery, but was ordered to rest by his doctors and he took the opportunity to visit India. During this visit King discussed the concept of non-violence with Gandhi's friends and disciples. Before the trip King had seemed unsure of himself and of the universal applicability of non-violence but he, "left India, more convinced than ever before, that non-violent resistance is the most potent weapon available to oppressed people in their struggle for freedom".<sup>1</sup> He gained a new confidence from seeing the results of a non-violent campaign where positive discrimination was being practised to try and atone for previous injustice. Through the attention lavished upon him by the Indians, King also developed a greater realisation of the historical significance of the Montgomery boycott.

When King returned to America in March 1959, new voices for militancy and extremism were making headlines. The Nation of Islam under Elijah Muhammed, assisted by Malcolm X, was preaching racism against whites to instil unity and pride in blacks, and their sect was growing rapidly in the North. In the South, Robert F. Williams,



president of a North Carolina branch of the N.A.A.C.P., had drilled, organized and armed a group of blacks and was preaching armed self defence. He was later involved in a gunfight with Klansmen and police and forced to flee to Cuba to avoid imprisonment, making him a cause célèbre to young radicals.

King was being criticised in many quarters for indulging in oratory and not action. Realising he was overstretched, he resigned the pastorship of his Montgomery church in January 1960. When the wave of sit-ins began in February 1960, King spoke to a conference of student delegates that became the starting-point of the "Student Non-violent Co-ordinating Committee" (S.N.C.C.). He outlined the tactics he had adopted from the Indian experience for a successful non-violent campaign; organization, selective buying, jail, rather than fines, universal application of the protest in the South and lastly a continued learning process about non-violence. In his speech King said;

"Our ultimate end must be the creation of the beloved community. The tactics of non-violence without the spirit of non-violence may become a new kind of violence."<sup>2</sup>

King had adopted by this time a philosophy of non-violence which in Gandhian terms is called "satyagraha" (literally "satya" or truth and "agraha" or suasion) meaning the application of moral pressure or passive resistance. This term was redefined by Gandhi to describe his philosophy of striving non-violently to the point of sacrifice, rather than fighting to obtain the truth. The concept of self-suffering was there originally, but through his experiences, Gandhi incorporated the ideas of non-violence, love, divine guidance and conversion into the term. Its opposite is "duragraha"

which is the use of non-violent action as the most effective means of coercion to achieve an end. This approach to social and political change has no moral commitment to non-violence or to the conversion of the adversary to the truth.

King's form of non-violent resistance "does not seek to defeat or humiliate the opponent, but to win his friendship and understanding." It seeks to "awaken a sense of moral shame in the opponent" and its "end is redemption and reconciliation". King emphasizes that "it avoids not only the external physical violence, but also internal violence of the spirit."<sup>3</sup> King believed that through this redemptive suffering, the Negro would fulfil his "highest destiny to redeem America from the curse of racism"<sup>4</sup>, and bring about the beloved community where integrated brothers would live in justice and harmony.

After a summer of meetings and rallies, where King exhorted activists to "fill the jails"<sup>5</sup>, he set an example in October 1960 by refusing bail and being jailed for trespassing while trying to desegregate a restaurant in Atlanta, Ga. The mayor called a truce on demonstrations to negotiate and the students were released. King, however, was transferred, charged with violating probation (imposed for a driving offence) and sentenced to four months hard labour. After a phonecall from the Presidential candidate Senator John F. Kennedy to Mrs King, and one from Robert Kennedy to the local judge, King was given bail. This intervention by John F. Kennedy was recognised as a move governed by self-interest, as well as concern for King. "There are moments," King said, "when the politically expedient is morally wise."<sup>6</sup> This sentiment did not

stop the Rev. King Sr., from publically changing his allegiance from Republican to Democrat. The Kennedy machine was not slow in capitalizing on the publicity that followed the move. Two million copies of a pamphlet detailing Kennedy's action were distributed, and the incident is generally believed to have been a decisive element in the very close election.

Despite the promising activity in Atlanta, King was looking for something more. He wanted a non-violent mass demonstration similar to the Montgomery boycott and so when he was asked by the new organisation he had helped found, S.N.C.C., for assistance in their campaign in Albany, Ga., he readily accepted. In Albany, King was able to test what was essentially a new strategy, one forced upon him by the powerful thrust from the momentum being gained by the civil rights movement. Rather than focusing on a single issue, such as bus desegregation, he and the S.N.C.C. leaders, decided to make multiple demands towards racial and economic justice. On his first night in Albany, King was arrested with 250 other demonstrators for parading without a permit. A truce was declared for negotiations which eventually yielded little. The campaign began anew with a boycott of department stores and a bus boycott. King and Ralph Abernathy (his second in command) returned to jail after their trial, but the city, having learned the lesson that Martin Luther King in jail was bad publicity for them and a source of strength to the movement, released them, saying their fines had been paid anonymously.

Through a series of mistakes by the organizers and astute moves by the city, the Albany campaign fizzled out. When swimming pools

and libraries were targets for desegregation campaigning, they were simply closed down. When protest marches were organized, Police Chief Pritchett quietly arrested all the participants. No great national interest was aroused, and local liberal sympathy and interest was lost when a riot broke out between police and black youths.

The campaign failed for several reasons. The Albany Movement was still disorganised when they called on King to help. The S.N.C.C. and S.C.L.C. forces disagreed over tactics, and some students resented the attention King received after they had done the preparation work. King could not devote all his time to the campaign and had to leave on several occasions to keep speaking and fund raising engagements elsewhere. Consequently, he was unable to use his powers of persuasion to encourage unity between the different groups. This discord among the organizers meant the basic premise of a firm strategy was missing and the campaign was run on an ad hoc and inspirational basis. The boycott of stores had failed because of another basic mistake; the S.C.L.C. strategists appeared not to have checked what proportion of white business trade was held by blacks. In fact, the general poverty of the blacks blunted their buying power, so a boycott did not seriously affect the shop owners. However, King and his colleagues were to learn from these mistakes.

The most prominent of the lessons learned by the S.C.L.C. was that the strategy of non-violent persuasion, which focused on changing the hearts and minds of their opponents, was unrealistic and ineffective. Only after the Albany campaign did King realize that

greater pressure would be necessary to achieve any progress. Instead of attempting to convince local whites of the error of their ways, they would now attempt to make the federal government impose progressive change. King concluded that effective change in this field could only be brought about by federal legislation. By showing the nation through the news media the brutality that blacks in the South could, and often did, suffer in a society dominated by racial segregation, national public support for federal legislation could be gained.

Albany had showed that the device of bringing pressure by flooding jails with prisoners required careful preparation and timing. They now knew that every demonstration had to have a core of trained, disciplined participants to serve as highly visible examples for those volunteers without any training or experience. King realised that, in order to gain national attention, peaceful opponents such as Chief Pritchett were not effective. In Birmingham, Ala. the public safety commissioner Eugene "Bull" Conner was a well-known segregationist and had a reputation for violence towards blacks. The assistant Attorney-General, Burke Marshall, tried in vain to persuade King to postpone demonstrations until after the coming election when Conner was expected to lose to a moderate. This refusal to wait for a more moderate opponent illustrates that King wanted confrontation. While still advocating non-violence, he had realised that without an overreaction from the local authorities, black protest would not receive the national media attention it needed to convince the government to act.

The S.C.L.C. spent several months exploring and analysing the

Birmingham situation before they moved in. They gained a sounder base than in Albany from a well-established local organization, the Rev. Shuttleworth's "Alabama Christian Movement for Civil Rights". King had acknowledged that the Albany campaign had suffered from not being specific in its aims, so for this campaign they aimed at desegregation of commercial establishments and public facilities and ignored areas of high resistance such as schools. Beginning in April 1963 with sit-ins, the jails were soon flooded, but the police acted with restraint. When King defied a local court injunction against further demonstrations, he was jailed and held in solitary confinement. King's treatment in jail improved rapidly when Robert Kennedy, now Attorney-General, personally intervened. President Kennedy also telephoned Mrs. King, to reassure her that her husband was safe. On this occasion there was no suggestion of ulterior motives. It was during this period in jail that King wrote his famous Letter From a Birmingham Jail <sup>(1)</sup> in reply to criticisms of his actions from eight local white clergy.

Up to this point, there was some progress in behind the scenes negotiation, but no agreement had resulted. It was a low point in the campaign and Wyatt Walker of S.C.L.C. pointed out that, "We've got to have a crisis to bargain with".<sup>7</sup> A children's crusade was organized and when six thousand children marched on May 2nd, nearly one thousand were arrested. The next day the organizers got their sought after confrontation when Conner used dogs, nightsticks and fire hoses to repulse the marchers, rather than arrest them. Highly

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(1) Martin Luther King, Jr. Why We Can't Wait (1964, Signet, New York) pages 76-95.

dramatic photographs and film showing brutal scenes were shown around America and the world. The administration sent Burke Marshall to negotiate, and cabinet members put pressure on business associates to pressure their counterparts in Alabama. On May 10th, an agreement was reached with the city authorities, desegregating all facilities and pledging to hire blacks.

In the established pattern, however, official capitulation to black demands was followed by unofficial resort to violence. There were a number of bombings and in the worst incident four black teenage girls were killed. The movement had gained its dramatic victory and at the same time mobilized an immense number of previously uninvolved blacks.<sup>(1)</sup> There was also a cost. After the Klan violence against their leaders and churches many Negroes rioted, burning shops and fighting the police. This time the media's effect on public opinion worked, to an extent, against the movement and it had a profound result on some attitudes. It was the worst Negro violence ever seen in the South, despite the fact that casualty figures were low, and damage restricted to a small area. As two Southern political scientists wrote later:

"The passivity and non-violence of American Negroes could never again be taken for granted ... The 'rules of the game' in race relations were permanently changed in Birmingham."<sup>8</sup>

Some voting provisions had been included in the 1964 Civil

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(1) Figures from Harry S. Ashmore: Hearts and Minds. The anatomy of racism from Roosevelt to Reagan (1982, McGraw Hill, New York), states (on page 349) that an estimated 1,117,600 Americans participated in 369 civil rights demonstrations in Birmingham in Spring 1963, 15,379 of whom were arrested and 389 injured, most of whom, in that area, would be unlikely to have been previously involved.

Rights Act, (discussed in the next Chapter) but civil rights leaders were still unhappy with the situation and decided to mount another major campaign to secure the completely unimpeded right to vote for the Negro. Selma, Ala., was chosen for three main reasons. S.N.C.C. had done a lot of ground work in the area in 1963 and 1964 and so there was an organizational base. The numbers of Negroes registered to vote were particularly scandalous in the county. <sup>(1)</sup> But perhaps the most important reason was the local county sheriff, Jim Clark. He was already known to S.N.C.C. as the Conner-type opponent they needed. To convince the federal government of the need for legislation, and to gain national support for their cause, they would need national exposure from the media and a reaction from Clark and his men that viewers would find much less acceptable than the marches themselves.

In January 1965, S.C.L.C. began a voter registration drive in Selma, Ala., but no reaction was forthcoming. However, on the second march the sheriff assaulted a demonstrator without provocation, and media interest was assured. One thousand demonstrators, including King, had been arrested and jailed by the start of February. Most of them were released on bail, but King and Abernathy stayed in jail for five days. This jailing was particularly significant, since it was only two weeks previously that King had received the Nobel Peace Prize.

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(1) 335 Negroes were registered as against 9,543 whites in a county where Negroes comprised 53% of the population.



In early March, a demonstration was launched that entailed a march to the State Capital, Montgomery. In King's absence, the marchers were halted and dispersed, on the orders of George Wallace, by state troopers who used clubs and tear gas causing severe injuries. This proved to be the turning point of the campaign, and President Johnson was able to push a strong Voting Rights Act through Congress on a wave of public indignation.

The Selma campaign was even more successful for the movement and their use of non-violence than in Birmingham. The Selma effort benefited from the clear articulation of a single easily understood goal. At Birmingham, the national audience was less clear about just what was being sought, and the several goals were seldom succinctly defined by the leadership. Secondly, in Birmingham, some of the support for the marchers was lost when black frustrations overflowed into violence, almost counterbalancing the outrages against them on several occasions. However, in Selma there was no similar harmful black response to the violence against them and they were clearly seen to be the victims. Another factor that ensured greater national sympathy than in Birmingham occurred when a white minister, who was in Selma to support the march, was beaten to death by white attackers. A white death always attracted greater media attention and national outrage than a black fatality, and this was seen to be the case when President Johnson lamented the death of the minister in his speech to Congress, but neglected to mention the death of a young black marcher.

The success of non-violence in the 1955-65 period contrasts with its ineffectiveness when introduced by C.O.R.E. in the 1940's. Several factors seem to be responsible. Until 1955, the major channel of grievance for Negroes was the N.A.A.C.P. and, through it, the courts. However, after the 1954 "Brown" decision, the legal approach had achieved its major goal. The Deep South blunted legal action by ignoring Supreme Court decisions, until the individual cases of defiance were challenged in court. Even after the segregationists lost, they were quick to discover new procedures to accomplish old ends.

The merit of non-violence in the new situation was that it encouraged participation and raised consciousness, even though Negroes were excluded from the political process and, in effect, defeated in the legal one. In 1942, however, the N.A.A.C.P. was still making gains for the Negro and there was little support for such a radical new group that seemed to be seeking confrontation, especially during the war, when it would have been considered unpatriotic. C.O.R.E. being Northern based, middle-class, and mainly white, at this time, had little or no chance of inspiring mass action. Other factors in the successful adoption of the tactic were Dr. King's personal qualities and his capacity to move an audience intellectually, morally and emotionally.

Once adopted, non-violence gained popularity because it fulfilled several psychological needs of the Southern community. It provided a constructive outlet for feelings of anger, frustration and resentment, that would otherwise be suppressed

or directed into violent acts. It gave a sense of worth and dignity to the participants, which stemmed from courageous and self-disciplined action in the cause of "freedom". Finally, it produced a sense of brotherhood between participants, often across race lines. For whites, it also allowed an expression of conscience and a relief of guilt. Most importantly though, it proved successful, especially when used by Dr. King. He built dramatic confrontation in symbolic centres of oppression, which led to the type of harsh repression that produced publicity, and hence moral outrage, outside the South, leading in turn to political and legal intervention.

When King first adopted non-violence, it is unlikely he envisaged the speed and scope of the success it would achieve. The bus boycott began with very limited objectives, which did not even encompass integration. Within a decade, four civil rights acts had been passed and all Negroes were free to vote. What then influenced King's choice of the non-violent direct action method over the alternatives? At the time there were four distinct ideologies of black advancement. Some slaves, in their periodic uprisings, (such as Denmark Vesey in 1822 and Nat Turner in 1831)<sup>(1)</sup> advocated small bands of armed militants rallying the black masses to attack white power with

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(1) Vesey's uprising was crushed in its infancy, although as many as 9,000 were estimated to be involved. Turner's went further and they killed at least 60 whites before over 115 Negroes were killed by troops. See, John Hope Franklin, From Slavery to Freedom (1967, A.A. Knopf, Toronto), pages 212-13.

guerilla warfare. They hoped that the terrible violence and bloodletting that would result would compel whites to enforce social change. This idea was not considered by King and most blacks, since numerical facts in America dictated the total destruction of the Negro race if such a course were undertaken. The ideology of Booker T. Washington was that of accommodation<sup>(1)</sup>, which stated that if Negroes were given the opportunity to develop separately they might, by hard work, create viable social and economic enterprises. Washington believed this would lead to whites viewing Negroes more favourably. Garveyism rejected racial integration and called for the formation of a black culture which might entail migration to Africa, or at least racial separation within America. Finally, the middle-class blacks who were members of the early N.A.A.C.P. or Urban League, such as W.E.B. DuBois<sup>(2)</sup>, argued that they should use their education to put the Negro case before society and inspire their fellow blacks to become educated.

These doctrines of violence, rejection of Christian tradition and society, meek acceptance of injustice and the development of a social order valued by whites and individual

- (1) See August Meier: Negro Thought in America 1880-1915. Racial Ideologies in the Age of Booker T. Washington, (1963, University of Michigan Press, Toronto) pp. 100-121.
- (2) DuBois, a founder member of the N.A.A.C.P. favoured leadership from the ranks of the college-educated elite, the "talented tenth". See Meier: op.cit. pp. 190-208. For a fuller account see Elliott M. Rudwick: W.E. DuBois Propagandist of the Negro Revolt (1969, Atheneum, New York)

confrontation by gifted blacks, while leaving the large part of their race behind, were all rejected by King. It could be argued that he took elements of the tactics of DuBois and Washington. King favoured the talented using their abilities to work for the whole race, but would not consent to this method alone, since such elites might only serve themselves. He admired the humility and strength of Washington and saw in these some of the true Christian values. However, King's philosophy was unique rather than a combination of these other approaches. He combined the Christian ethic of love for your neighbour with the militance of Gandhian non-violent protest. He believed non-violence was a morally superior and practical philosophy which had worked in Montgomery and would continue to work.

As King grew with the movement, he saw that where he was once seen as a militant and extreme leader, he was increasingly considered to be a moderate, a respectable alternative to the bitterness and hatred of some black nationalists. It suited him to cast himself as the liberal option; "I began thinking about the fact that I stand in the middle of two-opposing forces in the Negro community."<sup>9</sup> These forces were the complacent Negro, who accepted defeat and adjusted to segregation, the other was the "hate and despair of the Black Muslim." Malcolm X, near the end of life and wishing to be closer to the integrationist leaders, noted the pragmatism of this position and arrived at one of King's campaigns professing to desire a bloodbath. He told Coretta

King that he was actually trying to make things easier for her husband;"If the white people realise what the alternative is, perhaps they will be more willing to hear Dr. King."<sup>10</sup>

As a result of this stance, King began to point more often to the radical alternative, a tactic described by less sympathetic observers as a threat. In his Birmingham Letter he wrote;

"If our white brothers dismiss...those of us who employ non-violent direct action...millions of Negroes will, out of frustration and despair, seek solace and security in black nationalist ideologies - a development that would inevitably lead to a frightening racial nightmare."<sup>11</sup>

Speaking in New York in June 1963, he was more specific. He foresaw "a season of terror and violence"<sup>12</sup>, unless the Civil Rights Bill was acted upon. In each black ghetto;

"certain elements...will respond with violence if the people of the nation do not recognise the desparate plight of the Negro....The brutality they are experiencing as a result of their quest for equality may call for retaliation".<sup>12</sup>

Within a year this prediction was fulfilled by the New York riots in Harlem and Bedford-Stuyvesant. King condemned the conditions that caused the riots, rather than the participants, but his lack of influence in the North was illustrated when he was the target of eggs, thrown while he toured the riot areas.

By the time he did move North to campaign, the people he was trying to recruit were no longer interested. Most ghetto blacks were thoroughly disillusioned by years of promises of "freedom now" with no results. The popularity of

black nationalist ideas, and the souring effect of the race riots, had left the ground very hard for King to sow his seed of love and non-violence. King's success depended a great deal on his personal charisma, which itself was boosted by success. This quality is extremely difficult to sustain and, in the North, where his earlier campaign had had no relevance to the position of the ghetto black, he had yet to prove himself.

King's use of non-violence underwent a steady progression in the decade between Montgomery and Selma. His decision to start the Birmingham demonstrations before the city election, which was expected to remove "Bull" Conner, is probably the most obvious evidence that the Albany experience had forced a change of his tactics. He knew a moderate might defuse the campaign with civility and he was counting on Conner's over-reaction, and his own inevitable jailing to achieve victory. After Albany, civil rights had lost priority in Washington. King wrote, "The issue no longer commanded the conscience of the nation"<sup>13</sup> and he knew that a dramatic victory was needed to improve the declining fortunes of S.C.L.C. and the movement as a whole.

During the campaign, King's Letter from a Birmingham Jail showed a distinct contrast of language with that he used after the Montgomery conflict. In Stride Towards Freedom, King said that his use of non-violence "sought to win the friendship and understanding"<sup>14</sup> of his opponent. In the Letter he says;

"Non-violent direct action seeks to create such a crisis and foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue ... The purpose of our direct action programme is to create a situation so crisis-packed that it will eventually open the door to negotiation."<sup>15</sup>

It can be established from the choice of Selma and the opponents that would be faced there, that the S.C.L.C. philosophy had, by this point, completely changed. It was no longer based on a moral commitment to non-violence or on a desire to change the hearts and minds of their opponents through redemptive suffering. It was now based on the pragmatic knowledge that non-violence, coupled with violent opponents, would best serve the movement in gaining national support.

Non-violence had become more the technique of *duragraha* than the moral commitment of *satyagraha*. This change is reflected to a limited extent in King's own words. Implicit in some statements is the declaration that action by their opponents, that would offend the national audience, was a necessity if the movement was to successfully initiate federal legislation. However, it was very important that the movement was not seen to be provoking violent reaction, since this would lose most or all of the public sympathy they had gained. King said:

"The goal of the demonstrations in Selma, as elsewhere is to dramatize the existence of injustice and to bring about the presence of justice by methods of non-violence. Long years of experience indicate to us that Negroes can achieve this goal when four things occur." First, "non-violent demonstrators go into the streets to exercise their constitutional rights." Second, "racists resist by releasing violence



against them." Third, "Americans of conscience, in the name of decency, demand federal intervention and legislation." Fourth and last, "the administration under mass pressure initiates measures of immediate intervention and remedial legislation." <sup>16</sup>

This revealing statement admits that racist violence is crucial to the movement's progress and viewing of it by the national audience is necessary, if any effective government action is to result from the confrontation. This interpretation was confirmed by Andrew Young when he said, "In the past, the movement has been sustained more or less by violence". <sup>17</sup>

King omits to mention the role of the news media in bringing this violence to national attention, possibly because it might lay him open to the charge that he was seeking to manipulate the media. This would make him appear considerably more calculating than he would wish and would seem inconsistent with the religious and moral themes he aspired to. Is this a fair charge? Television focuses on news, particularly, events that are thought provoking or exciting. Any outbreak of violence, therefore, receives far more coverage than would a small peaceful protest for the vote or integrated education. When King led a protest he received media attention, but gained more coverage when he, or his followers, were attacked. King did not invent this television focus on violence, nor did he ever encourage violence. He did, however, realise its value to his cause and for this reason led his forces into the areas where their peaceful demonstrations would provoke the most extreme reaction. King could use the crudity of the Southern response and be sure the media would highlight it and gain him support, while

earning the Southern segregationist condemnation from the North and the World.

Selma represented the end of the movement's successful employment of non-violent direct action. Due, in part, to the growing conflicts within the movement itself, the ending of the large non-violent campaign phase was more the result of policy changes. While King and the S.C.L.C. had become very successful at employing non-violence to win national popular support and political support for the legislative goals, it was not a strategy that could be used to pursue every policy goal. The national audience could be moved to support constitutional rights, such as the vote and equal access to public facilities, but when the same tactics were applied to the issue of open housing in the North, there was little widespread support from the President, Congress or the public.

By the time King came to launch his Chicago campaign, he had completely alienated President Johnson. After Selma, King had begun to speak out publicly against the Vietnam War, and Johnson angrily cut off all White House contact with him. The mass marches and demonstrations that were mounted in Chicago never achieved the numbers necessary to force the Daley political machine to really act. The only march that did meet violence was protected by the police and not attacked by them as in Birmingham and Selma. Violent whites outnumbered black demonstrators by five to one and only police intervention prevented any marchers from being killed. The national audience was not sympathetic to demands that blacks be allowed to move into their neighbourhoods, and the Congress showed its mood

by killing the 1966 Civil Rights Bill.

After Selma, the method of non-violence, even in the use that had been developed for it in the early 1960's, declined in effectiveness and disappeared altogether. There were several reasons for this. The "easy" victories were won and the stark injustices of segregation were done away with. The targets for further advances now applied to the whole nation; open housing, fair employment and poverty. The demands had moved from those that produced public disquiet (desegregation of public facilities and the vote) to those requiring economic sacrifice (paying higher taxes to eliminate slums, provide a good education and jobs). The large unaffected spectator group to whom the movement could appeal without asking for personal sacrifice was lost and with it their leverage with government.

The opposition faced by the movement in the North was more sophisticated than in the South. They had learned that suppression was counterproductive and protection for the marches worked better than brutal clubbings. Token concessions were used, as in Chicago by Major Daley, that made injustice less apparent and more difficult to dramatize. The Negroes themselves in the North were different to those the movement had previously worked for and with. The Negro in the ghetto was more hostile, less religious and less willing to accept non-violence than his Southern counterpart. Northern Negroes had watched the movement for years, but felt few of its benefits, and locked in the ghetto, were more frustrated and bitter and, therefore, less receptive to non-violence.

The war in Vietnam had drawn much energy and support away from Civil rights and it divided the attention of those that remained. S.N.C.C. had received much of its support from white students, who now turned their attention to the war, leaving the group without a large section of its workers. When King came out in favour of withdrawal of American troops, it alienated not only the President, but also many citizens who still thought that view unpatriotic.

Lastly, the growing split between the younger organizations S.N.C.C. and C.O.R.E. and the older organizations, the Urban League and the N.A.A.C.P. with the S.C.L.C. in the middle, sapped what power a non-violent campaign might still have mastered. S.N.C.C. and C.O.R.E. had been constantly in the front line of the struggle in the 1960's and most of their members had become disillusioned with non-violence and incessant beatings. The pace of Negro advancement remained too slow for many of their young activists, who turned their groups' emphasis from black supplication to Black Power.

Although Martin Luther King adapted and developed his philosophy of non-violence to meet the situations he was faced with, the effectiveness of the strategy experienced diminishing returns. Before this happened, he achieved a great deal making huge "strides towards freedom". However, when a further change of tactics became necessary, he was trapped by his inability to further adapt his leadership to a Northern struggle. He could not suddenly organise a "revolution on poverty",<sup>18</sup> which is what he claimed was necessary for the next stage of

the struggle. That would have required a new type of organization with new aims and new methods and there is no evidence that he had any such plans at the time of his assassination. The time and mood of the country for this type of campaign was gone and with it King's effectiveness.

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### Chapter Three

#### The Politics of Civil Rights Legislation

This chapter is concerned with the politics of civil rights legislation up until 1965. This involves an analysis of the procedures behind the bills in Congress, the role and attitude of the Executive and the significance of the final acts. The Chapter will thus complement the previous analysis of King's career and his attempts to achieve a legislative solution.

The first successful action on civil rights, however, came not from Congress, but from the judiciary. In September 1953, President Eisenhower chose Earl Warren, Governor of California, to be the new Chief Justice of the Supreme Court. The Warren Court (1953-68) was to become one of the most controversial in Supreme Court history. Although Chief Justice Hughes, Stone and Vinson had already set precedents<sup>(1)</sup> for the erosion of the legal bases of segregation especially in

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(1) In Missouri ex rel Gaines vs Canada 305 U.S. 337 (1948) the Supreme Court invalidated the State practice of excluding blacks from law school and offered instead to pay for attendance at an out-of-state law school.

In Sipuel vs Board of Regents of the University of Oklahoma 322 U.S. 631 (1948) it was ruled that a state may not deny admission to its law school on the basis of race.

In McLaurin vs Oklahoma State Regents 339 U.S. 637 (1950) it was decided that having admitted a black to its law school a state cannot deny him equal use of all its facilities.

Sweatt vs Painter 339 U.S. 629 ruled that a state could not bar admission of a black to a state law school on the grounds that there was a black law school available.

education, the approach had been to tighten the standard of equality within the "separate but equal" doctrine.<sup>(1)</sup> It was the Brown decision that gave civil rights such a boost by finally rejecting that doctrine, and the fact that Earl Warren was able to deliver a unanimous decision emphasized its importance. This case was the first of a series of decisions defending many minority rights and civil liberties. Indeed, the Warren Court has been described as "having rushed to achieve an ideal of greater social, political and procedural fairness".<sup>1</sup> It was the Brown decision, however, that marked the beginning of a new phase of black politics. The N.A.A.C.P. had achieved its goal of judicial recognition of the inequality of the Negro position in society. This left the way open for renewed black activism to emerge, to force corrective legislation from the Administration and Congress.

In the wake of the Brown decision came the Southern reaction which threatened to halt desegregation altogether. The White Citizens Council<sup>(2)</sup> inspired a campaign of violence which increased after the successful Montgomery bus boycott. When, in February 1956, the University of Alabama enrolled a Negro student, Autherine Lucy, under federal court order,

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(1) First established in Plessy vs Ferguson 163 U.S. 537 (1896)

(2) Formed in July 1954 in Mississippi, as a grassroots organization to thwart implementation of school integration. By the second Brown decision, membership was 250,000. Many local groups retaliated against blacks active in desegregation efforts, by denying them credit or employment.



protests were so violent that the authorities suspended her "for the safety of the students".<sup>2</sup> Later the trustees used the pretext that Lucy had made derogatory statements about the university to expel her permanently. The Administration declined to intervene. In September 1957, Governor Faubus of Arkansas used national guardsmen to prevent the entry of black students to Little Rock High School, in defiance of a federal court injunction. President Eisenhower reluctantly dispatched federal troops to the South, to ensure compliance with the federal order and provide protection for the Negro students.

It was with this background of increasing racial tension that the Eisenhower administration decided to sponsor new legislation on civil rights. Eisenhower's reticence is recorded in several studies,<sup>(1)</sup> but events persuaded him he had no alternative, other than to press for legislation that would, in some measure at least, meet the demands of Negroes and their Northern sympathizers. Attorney-General Herbert Brownell was eager to act on the issue, but President Eisenhower had previously withheld his consent. When the President suffered a heart attack in September 1955, his Cabinet carried on the business of the Administration and

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(1) Foster Rhea Dulles, The Civil Rights Commission 1957-65 (1968, Michigan State Univ. Press, Michigan), pp 11-15 and 96-7; J.W. Anderson, Eisenhower, Brownell and the Congress (1964, Univ. of Alabama Press, Alabama), pp 1-6, 39 and 60-61; Anthony Lewis, The Second American Revolution (1966, Faber and Faber, London) pp. 110-15.

ordered Brownwell to proceed with the preparation of a Civil Rights Bill under his own name, allowing Eisenhower to remain detached from the project. This decision was ratified, and the President referred briefly to a forthcoming programme in the field of civil rights in his 1956 State of the Union message.

When the Justice Department presented the Bill in April 1956 for approval, the White House denied clearance for the general civil rights and voting rights sections. This meant dropping of all enforcement authority and only allowed for the creation of a Civil Rights Commission and the authorization of a new Assistant Attorney-General, with power over a new Civil Rights Division in the Justice Department. Brownwell took the extraordinary step of getting a Congressman to formally request the stronger draft in Congress, so he could introduce the whole Bill against the President's wishes.<sup>(1)</sup>

This stronger Bill passed the House and arrived in the Senate in June 1957. There, the Republicans, with the support of liberal Democrats, managed to by-pass committee consideration and put the measure directly on the calendar, in order to save it from death in the Southern-dominated Judiciary Committee. Despite talk of a filibuster, this bipartisan coalition, with the support of the majority leader, Lyndon Johnson and the minority leader, William Knowland, steered the Bill to a position

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(1) For further reference on this manoeuvre, see Anderson, op.cit.

of compromise. Part three of the Bill, which sought power for the Justice Department to sue on behalf of any civil right, including desegregated schools, was dropped. Johnson persuaded southerners that the civil rights legislation was necessary and inevitable, and standing against a moderate Bill demanding the vote, the least arguable right of citizenship, could only be self-defeating. Southern Democrats accepted the measure with an amendment requiring jury trials in voting rights cases, believing local juries would be less progressive than federal judges. This compromise Bill passed the Senate in August 1957, to become the first Civil Rights Act to get through Congress since 1875.

The authorization given to the Attorney-General meant that the regaining of voting rights was no longer dependent on individual actions, usually brought at great physical and economic risk. The United States Commission on Civil Rights was given the responsibility of investigating and reporting on those procedures and devices used by jurisdictions to racially discriminate. However, the Act only allowed specific persons, and not states, to be prosecuted for violations and this, plus its application by the Justice Department "with all deliberate lethargy"<sup>3</sup>, rendered the Act largely ineffective. The Senate held up confirmation of the first head of the new Civil Rights Division for six months. The Division acted slowly, and until the appointment of William P. Rogers as Attorney-General, in January 1960, it brought only three cases

before the courts, and not a single Negro previously unregistered was enabled to do so, by federal action, in the period.

Despite considerable activity by the new Civil Rights Commission, the 1957 statute proved to be of only marginal value. The Southern Democrats saw the Act as a success. As Georgia Senator Richard Russell said, the ability "to confine the federal invasion of the South to the field of voting and keep the withering hand of the Federal Government out of our schools", was his "sweetest victory"<sup>4</sup> in twenty-five years as a Senator. Nevertheless, the Act had proved a Civil Rights measure could pass the House and it brought the matter further into the public spotlight.

Pressure rose steadily from liberal Congressmen and civil rights groups to enact new legislation to strengthen the weak provisions of the 1957 Act, especially when the date for renewal or expiry of the Commission on Civil Rights fell due. The Administration came to accept the need for further action, and in January 1959, Eisenhower again used the State of the Union message to announce that civil rights proposals would be sent to Congress. In February, he recommended enactment of a seven point programme, but did not include part III of the 1957 Act, which Congress had then dropped. It would have allowed the Attorney-General to act on his own initiative to seek injunctive relief in the federal courts whenever an individual's rights were violated. Lyndon Johnson also

introduced a Bill, as leader of the Democrats in the Senate, but this too omitted Part III. Senator Douglas of Illinois attacked Johnson for not dealing directly with school desegregation, and joining with fifteen other Senators, sponsored a third bipartisan Bill including Part III. These Bills became tied up in various committees in Congress and in September 1959, Lyndon Johnson and Everett Dirksen (the new Minority Leader) reached an agreement that the Civil Rights Bill would be considered at the start of the new session of Congress. A rider was added, on the eve of adjournment, to an Appropriations Bill, to provide for the extension of the Civil Rights Commission for another two years.

As agreed, the battle on both sides of Congress began again over civil rights legislation in February 1960. There were three major blocs involved in the political infighting; moderates, who supported the relatively mild Bill the Eisenhower Administration sponsored, a bipartisan group of liberal Northerners, who urged a far stronger measure, and Southerners, who opposed any new law at all. The Administration Bill contained four main titles; the first made it a federal crime to obstruct or interfere with any court order related to school desegregation; the second provided penalties for the perpetrators of the burning or bombing of a building who crossed state lines; on voting, it called for the preservation of all registration records for twenty-two months and provided for court-appointed referees to help Negroes register. Their

appointment was dependent on civil suits and court injunctions, rather than investigation by the Commission and so still necessitated the long process of litigation.

As in 1957, the House passed the Bill speedily, but it met stiff opposition in the Senate. The South fought a delaying action with tactics easier applied in the Senate; weakening amendments and temporary filibusters. New records were set, as Senator Keating said, "in the unrolling of the long, long, carpet of verbiage", adding in reference to the Southerners, "If they are speaking for posterity, we need only continue a little longer and posterity will be in the galleries listening to us".<sup>5</sup> On April 8th, after several weakening amendments had been added, the Bill was passed and signed into law on May 6th 1960 by President Eisenhower.

Many commentators saw this Act as another victory for the Southern segregationists. The provisions authorized the Attorney-General to investigate violations of voting rights and provided for optional appointment of a voting referee by the judge, following proof of systematic denial of rights. The referee would then re-examine all rejected voter applicants and recommend to the judge the registration of those he found qualified to vote. The Act also made a state a party to any proceedings brought by the Attorney-General to enforce voting rights. Although it was expected that the use of voting referees would be the most effective provision, in many instances, the judges in Southern courts declined to appoint them. Consequently, the most significant innovation was the

power given to the Attorney-General to seek relief for a group, rather than pursue each case individually. However, the Negro still experienced delays where large numbers were concerned, since investigation and litigation still had to be conducted separately in each district. Despite the vigour of William Rodgers in the last three months of the Eisenhower Administration, in all only ten cases were brought in three years. In the next three years, with the appointment of Robert Kennedy as Attorney-General and Burke Marshall as assistant Attorney-General, voting rights cases were more aggressively prosecuted, and fifty-seven cases were filed.<sup>6</sup>

Despite the willingness of the Justice Department in the new Kennedy Administration, long delays in registration were caused by difficulties in obtaining access to registration records, in proof of economic retaliation against potential registrants, and by the obstructive attitude of federal district court judges. This raises the question of Kennedy's judicial appointments, which were particularly important since he had an unusually large number to make as a result of new legislation. Kennedy followed tradition in deferring to his party's Senators on district court appointments. The Justice Department tried to gauge future judicial behaviour by personal interviews and consultation with civil rights groups, but in several cases candidates so endorsed, later showed themselves to be segregationists.<sup>(1)</sup> Kennedy did appoint more integrationists

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(1) In Alabama, Clarence Allgood, although endorsed by civil rights groups, was a segregationist. The same was true of appointees J. Robert Elliott and William Harold Cox.

in the South than Eisenhower, but they were concentrated outside the Deep South. Despite this, to an administration intent on enforcing civil rights to the limit and channelling protest into the courts, the choices made were little short of disastrous.. Although Kennedy was restricted in his appointments by the tradition of Senatorial courtesy, if he was to have any chance of co-operation in his legislative programme, this part of his civil rights record has remained the greatest point of criticism.<sup>(1)</sup>

Early in his administration President Kennedy made the decision to forego the attempt to pass civil rights legislation for some time. Although he enjoyed Democratic majorities in both houses of Congress, they had been reduced from those of 1958. Due mainly to the seniority system, the power of the Southern politicians exceeded their numerical strength.<sup>(2)</sup> The fear was that if this powerful group were angered early in the term by a protracted battle for further civil rights legislation, they would block other domestic legislation that

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(1) For an assessment of Kennedy's liberalism see; B. Miroff, Pragmatic Illusions: The Presidential Politics of John F. Kennedy (1976, McKay, New York); Robert J. Williams & David A. Kershaw, 'Kennedy and Congress. The Struggle for the New Frontier' in Political Studies Vol.27, No. 3, September 1979; and John Hart, 'Assessing Presidential Leadership: A comment on Williams & Kershaw' in Political Studies Vol. 28, No. 4, December 1980.

(2) For example, in the 88th Congress (1962) the House had 257 Democrats and 178 Republicans. The Senate had 67 Democrats and 33 Republicans. From the 11 Confederate States there were 22 Senators and 105 Representatives (all Democrats except 6 Representatives and 1 Senator). In the Senate, 9 of the 26 standing committees were chaired by Southerners.<sup>7</sup>



Kennedy was keen to see pass, legislation that would also help the Negro, especially minimum wages and housing Bills. Any Civil Rights Bill would face long debate and probably a filibuster, and Kennedy was worried that this, and the probable defeat of the Bill, would heighten Negro resentment and drive the civil rights movement to more drastic action. He, therefore, attempted to improve the Negro position by Executive, rather than legislative, action.

Kennedy attempted to change the tone of government toward racial discrimination through an employment policy towards blacks, rhetoric, and a general awareness of black aspirations, with a new accessibility of his office to black groups. In contrast to Eisenhower's silence, President Kennedy, in his first year of office, endorsed school desegregation, publicly congratulating several cities on successful desegregation and participated in ceremonies making corporate pledges to end discrimination voluntarily. He chose a large number of Negroes for high level appointment and established by Executive order the President's Commission on Equal Employment Opportunity (P.C.E.E.O.), by combining two existing, but largely ineffectual committees. As a result of administration pressure, the Civil Service Commission began a special recruiting programme at Negro colleges and universities. A committee to investigate discrimination in the military was established, and an example set by increasing Negro numbers in the ceremonial guard in Washington. In retrospect, many of these moves may appear as tokenism, but at the time they marked a sharp change in Presidential policy and were received by blacks as positive,

if limited, improvements.

In 1947, a Supreme Court decision<sup>(1)</sup> had prompted C.O.R.E. members to test segregation on interstate travel. A further decision in 1960<sup>(2)</sup>, extending desegregation to terminal facilities, was followed in 1961 by the C.O.R.E.-led "Freedom Rides". Serious violence occurred, and in one incident Robert Kennedy's assistant, John Seigenthaler, was attacked and needed hospital treatment. When the Governor of Alabama, John Patterson, refused to call out the National Guard, Robert Kennedy dispatched nearly seven hundred marshalls to preserve civil peace. They were soon needed to hold back an attack by a white mob on King's Montgomery Church, where a Freedom Riders' meeting was taking place. Finally, Governor Patterson called up the National Guard who were able to restore order, and the marshalls withdrew. Freedom Rides continued, but due to Kennedy's intervention, they were protected by local authorities until they got to Jackson, Miss., where they were arrested for minor offences, such as disturbing the peace. Kennedy concurred with this since his primary concern was for their safety. Instead of intervening in any arrests, he tried to end the discrimination. In late September, the Interstate Commerce Commission ruled as Kennedy asked and issued an order banning segregation in terminal facilities immediately.

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(1) Morgan vs Commonwealth of Virginia 328 U.S. 373 (1946)

(2) Boynton vs Virginia 364 U.S. 454 (1960)

The contrast in approach, between the Kennedy and Eisenhower Administrations, is striking. In the Autherine Lucy case of 1956, the federal government had, in effect allowed mob rule to prevail over a court order. The Justice Department in 1961 was determined this should not happen in the case of the Freedom Riders and so intervened in the South. When Eisenhower did use federal force at Little Rock in 1957, he used rifle-carrying troops, which were reminiscent to many Southerners of an occupying army and Reconstruction. President Kennedy, through his brother, had sent U.S. Marshalls, unarmed and wearing suits, who aroused little local antagonism in comparison. An opinion poll at the time showed most Southerners thought Kennedy had done the right thing in sending marshalls. A survey in 1957 had shown an opposite opinion of Eisenhower's troop deployment.<sup>(1)</sup> Kennedy's action did point the way to the future policy of the Administration over the protection of civil rights workers. Force had been used as a last resort, using civilian marshalls, rather than military troops, and then only when local authorities had abdicated their responsibility to uphold order. As soon as Governor Patterson assumed responsibility for maintaining order by mobilizing the National Guard, the marshalls were withdrawn.

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(1) Figures from a Gallup Poll asking whether Kennedy's action was right or wrong. In the South the figures were 50% right, 29% wrong, and 21% no opinion. The comparable percentages for Eisenhower's action had been 36% right, 53% wrong, 11% no opinion. Nationally 70% approved of Kennedy's action and only 13% disapproved. <sup>8</sup>

After the sit-ins and Freedom Rides, it became clear that with activists on the streets, violence was more likely to occur which might necessitate further federal intervention. Consequently, the Justice Department encouraged civil rights leaders to launch a large-scale voter registration project. Some of the young activists suspected this was a policy aimed at limiting their militancy, and a heated debate began between the direct action and voter registration wings. Soon, however, S.N.C.C. decided to join and chose to work in the most dangerous areas, in Mississippi and Georgia. The earlier argument was adjourned when it became clear that voter registration was direct action in such a hostile setting. In January 1962, the "Voter Education Project" (V.E.P.) was announced; education, because contributions to an educational activity, collecting information on registration problems, were tax-exempt. Several large foundations funded the Project, and by January 1964, it had distributed \$580,000 to national and local groups working on registration.

Continuing its emphasis on the vote, the Administration asked Congress in early 1962, to prohibit the use of literacy tests in voter registration. The bill asked that a sixth grade education would be acceptable as presumptive proof of literacy and that all other tests be abolished. Despite the fact that the measure was limited (it only applied to federal elections) and it had bipartisan support (it was sponsored by both leaders in the Senate), the South prevented its passage with a filibuster. Two attempts were made to invoke cloture.

without success, and the bill was dropped to allow other business to proceed. Later in the year, there was some compensation when congressional approval was gained for a constitutional amendment banning poll tax in federal elections. In January 1964, this was approved by the states and became the 24th Amendment. This constitutional route was used, because Southern Senators opposed all voting rights legislation on the grounds that the constitution reserved authority over voting qualifications for the State legislatures. They had, therefore, no objection to the matter being put to the States in an amendment.

Having deferred legislation, Kennedy has also limited the extent of his Executive action to avoid opposition from Southern Congressmen. In the 1960 campaign, he had promised to issue an executive order prohibiting racial discrimination in federally assisted housing. He had refrained from fulfilling this promise in 1961, because it might have jeopardized his chances of winning a new Department of Urban Affairs from Congress. In November 1962, with the formation of the new department rejected by Congress, he issued the order covering public housing and direct federally guaranteed mortgages. The scope of the order disappointed some civil rights leaders who had wanted other financial institutions (banks and building societies) included. The order had little impact on racial patterns in housing and it is doubtful whether broadening it in this way would have increased its effectiveness. The main barrier to black's mobility in the housing market was their low income and this could not be changed by executive fiat. Nevertheless, the order did represent another small

step towards equality and more importantly, it was the first use of federal power to encourage the principle of residential desegregation.

Under increasing pressure from the civil rights movement and from liberals over lack of results, President Kennedy finally submitted a legislative programme on February 23rd 1963. The proposals were as follows: where voting suits were pending, federal referees could register voters in counties where fewer than 15% of the eligible number of persons of any race were registered; voting suits would be expedited by special district courts; tests of voter qualification would have to be applied uniformly; the sixth grade literacy proposal; federal assistance for schools implementing desegregation; and extension of the life of the Civil Rights Commission for at least four years.

These measures, which two years previously might have seemed radical, disappointed many civil rights leaders in 1963. They did nothing to speed up school desegregation, to combat discrimination in housing and employment or to guarantee access to public accommodations. Roy Wilkins called it "an admirable document",<sup>9</sup> but wished it had gone further. Liberal Republicans also noted its omissions. The Bill was left to the Justice Department, who delayed its submission, possibly to gauge public opinion. By the end of March, it had not yet been forwarded to Congress. By the time it was, it had been overtaken by events in Birmingham. This so focused world attention on the situation that in June, President Kennedy was able to submit a much extended Bill to Congress. "Birmingham had not only created the mood, but

demonstrated the need, and public concern now made it a legislative possibility".<sup>10</sup> To present this revised bill Kennedy went on nationwide television and delivered one of the most eloquent, moving and important speeches of his life. He asked if the Negro could not enjoy the full and free life which all of us want, "then who among us would be content to have the colour of his skin changed and stand in his place? Who among us would then be content with the counsels of patience and delay?"<sup>11</sup>

Kennedy asked for a number of new proposals in addition to the measures he requested in February. He proposed a broad law banning the segregation of all public facilities, and he sought authority for the Attorney-General to initiate proceedings against the segregation of schools. To help achieve voluntary acceptance of the public provisions of the Bill, he proposed the creation of the Community Relations Service and the Equal Employment Opportunities Commission. It was "the most comprehensive Bill ever to receive serious consideration from the Congress of the United States".<sup>12</sup>

The Administration knew enactment would only come after a long battle and consequently threw all its efforts behind the Bill. President Kennedy attempted to restrain the activities of the civil rights movement and also held a series of meetings at the White House, with many different interest groups and sections of people who would be most affected by the Act. He hoped by this latter move to establish a broad consensus in favour of his legislation and to encourage voluntary steps to combat discrimination. A succession of Administration officials

went before the committees to demonstrate support; the Secretary of State, Dean Rusk, the Attorney-General, Robert Kennedy, and his assistants Burke Marshall and Nicholas Katzenbach, all testified. The Justice Department also privately lobbied those congressmen whose votes they hoped to gain.

Kennedy also took a personal interest in the planning of the "March on Washington". He met with civil rights leaders in June and was told of the march proposals. When Kennedy became convinced that the march was essential to the civil rights leaders, so that they could keep control and harness the energies of Negroes already "on the streets", he began organizing behind the scenes, to ensure it was an orderly and peaceful demonstration. On August 28th 1963, a quarter of a million protesters gathered in Washington D.C., one quarter of them white. The militant tone of some speeches, especially that of John Lewis of S.N.C.C., was moderated and Martin Luther King delivered the most famous speech of his life.

"I have a dream, that one day this nation will rise up and live out the true meaning of its creed: 'We hold these truths to be self-evident, that all men are created equal'.

I have a dream that one day even the state of Mississippi, a state sweltering with the heat of oppression ... will be transformed into an oasis of freedom. When we allow freedom to ring ... we will be able to speed up that day when all God's children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands together and sing in the words of that old Negro spiritual: "Free at Last! Free at Last! Thank God Almighty, we are free at last!" 13

The march probably had no significant effect on the legislation in Congress, but it did create a favourable



impression of the civil rights movement, among the public. It had dramatically illustrated the commitment of black and white to the goal of equality. No bitterness had been exhibited by the blacks, and religion had played a major part in the proceedings. This suggested to the American public that when blacks were not being beaten for protesting, they could act responsibly and peacefully. However, this was the last time that blacks and white were to collaborate in the mass movement for racial justice. From this time on, the struggle became increasingly under black leadership, and only rare and specific incidents, such as the violence at Selma, would encourage white support, and then, in ever decreasing numbers.

In late October, a breakthrough was secured in the House when the Judiciary Committee approved a bipartisan compromise Bill. Meanwhile, the Republican leader in the Senate, Everett Dirksen, privately assured the administration that the Bill would come to a vote in the Senate. Then, on November 22nd 1963, the nation was stunned by the assassination of President Kennedy. The shock felt around the world is well documented, but the effect on Negroes was generally even greater. Many blacks had idolized Kennedy and felt they had lost a close friend. The prospect of a white Southerner as President, only increased their feelings of trepidation about the future.

Within ten days of assuming office, Johnson moved to dispel this fear by publicly committing himself to fulfilling Kennedy's civil rights programme. He called for an early

passage of the Bill as a memorial to the slain President. After a prolonged struggle, which included the successful invoking of cloture, the legislation was enacted in July 1964. The Act was sweeping in its scope. It outlawed all discrimination in employment and enforced equal access to all public facilities. Federally assisted activities practising discrimination, were threatened with the loss of federal funds. The Community Relations Service and Equal Employment Opportunities Commission were created, and the Civil Rights Commission extended for four more years.

In the area of voting, many of the same problems occurred as had been experienced with the 1957, and 1960 Acts. Much of the blame for this has been attributed to the way this legislation relied upon the judicial process for enforcement. The major provision of the 1960 Act, the referee clause, had gone virtually unused by the Courts. Only two referees were ever appointed and they recommended the registration of no more than a few hundred new voters. After the 1964 Act, much larger gains were made than with previous legislation; in forty-six counties, against which a total of seventy voting suits were brought, between 1957 and 1965, 37,146 new black voters were registered. However, as a percentage of the total possible this only represented 6.7%. In Mississippi as a whole, the percentage had only increased from 4.4% to 6.4% in 1954-64. These statistics tend to substantiate Chief Justice Warren's opinion that the 1957, 1960 and 1964 Acts "have done little to cure the problem of voter discrimination".<sup>14</sup> The

conclusion that the judicial approach to enforcement proved ineffective was unavoidable, as one commentator put it, "eight years of litigation provided the most persuasive argument that adjudication and court-ordered enforcement tools could not ensure extensive registration".<sup>15</sup>

In Dallas County, Alabama, of which Selma is the seat, Negroes comprised 53% of the population, yet (in 1965) there were only 335 Negroes registered as opposed to 9,543 whites. On February 1st, Martin Luther King led a giant demonstration to the Selma courthouse and was one of 770 demonstrators arrested. The next day a further 550 were imprisoned. Released four days later, King immediately requested the Administration introduce a new and stronger voting rights act into Congress. On February 9th, he conferred with Vice-President Humphrey and Attorney General Katzenbach, and was given a firm assurance that a strong Act would be sent to Congress "in the near future".<sup>16</sup>

More marches occurred in Selma, and state troopers, sent by Governor George Wallace, and volunteer sheriffs recruited locally, stopped a further demonstration on March 7th 1965, with particular brutality. The events were given nationwide coverage, shocking the country and prompting many mass demonstrations in sympathy. A few days later three white clergymen, in Selma for a further march, were attacked by whites and one died from multiple skull fractures. Four days later, on March 15th 1965, President Johnson addressed Congress and delivered, what was later described as, the "most radical statement ever made by a President on civil rights".<sup>17</sup>

Johnson said: "Every device of which human ingenuity is capable has been used to deny" the right to vote. "It is wrong, deadly wrong, to deny any of your fellow Americans the right to vote in this country". Calling for, "no delay, no hesitation and no compromise", Johnson reminded the legislators that "outside this chamber is the enraged conscience of a nation".<sup>18</sup> After receiving two standing ovations, he concluded, "This cause must be our cause, too. Because it's not just Negroes, but really all of us, who must overcome the crippling legacy of bigotry and injustice. And we shall overcome".<sup>19</sup>

The rush of attention which the bill received and the strenuous efforts of the Congress to pass it quickly, differed remarkably from previous civil rights legislation. The Bill passed the Senate within ten weeks of being sent up, after a vote of cloture ending further debate was easily passed with bipartisan agreement. A slightly different Bill was voted through the House seven weeks later. A conference committee was set up to resolve the differences, and by August 4th the Bill was approved and signed by the President in a television ceremony two days later. If the Act was not the direct result of the Selma demonstrations and the three deaths that accompanied them, then the events there heavily influenced the production of the Act, ensuring only minimal delay and no weakening amendments.

The Act marked a significant departure from earlier legislation, not only in the way it was passed, but also

because for the first time an administrative process aimed at eliminating voter discrimination was used, instead of the judicial process. The most important provision was section five, which required any state with a history of voting discrimination to "preclear" any changes in voting laws or procedures with the Justice Department. The "political subdivision" has the responsibility of showing that the proposed change "does not have the purpose, and will not have the effect, of denying or abridging the right to vote, on account of race or colour."<sup>20</sup> To decide whether a jurisdiction should be subject to this, or "covered", it must have employed a "test or device" in the 1964 elections and have had, either a voter registration of less than 50% of eligible citizens, or a voter turnout rate of less than 50%. Jurisdictions were eligible for release after a five-year period, during which they were required to preclear voting law changes and abolish the use of "tests and devices". This five year period was extended by the 1970 and 1975 amendments to the Act and it was further extended in 1982.

This formula originally included all of Alabama, Georgia, Louisiana, Mississippi, South Carolina and Virginia, and counties in North Carolina, Idaho, Arizona, Alaska and Hawaii. Other sections authorized the Attorney General to send federal examiners to list voters for registration in any county from which he received twenty complaints of denial, or whenever he believed such action was necessary. The Act established

criminal offences for failure to register votes, intimidating voters, altering voting records, conspiring to interfere with voting rights or providing false registration information. The only provision that is temporal is the applicability of pre-clearance and requirements to covered jurisdictions, and it was these which caused long debate in Congress in 1982.

Although it passed with comparative ease, the Act still had many opponents. When "tests and devices" were banned by the Act, South Carolina began a suit against the Attorney-General, challenging its constitutionality; South Carolina vs Katzenbach <sup>(1)</sup>. Chief Justice Warren declared the act "an appropriate means for carrying out Congress's constitutional responsibilities and consistent with all other provisions of the constitution". <sup>21</sup> Although the states have "broad powers" to determine the conditions for exercising the vote, the 15th Amendment, addressed to Negro voting rights, "superceeds contrary exertions of state power" when discrimination is practised. <sup>22</sup> Finally, there was successful voting rights legislation. This was demonstrated when, in less than a year, registration by blacks in Mississippi quadrupled. Today there are nearly fifteen times as many blacks registered as in 1964 and one out of four voters is black.

Although President Eisenhower's administration is credited with the passage of the first civil rights legislation of the century he displayed little enthusiasm over its passage. He

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(1) 383 U.S. 301 (1966)

played a passive role in the two Acts passed in his second term and actively tried to limit the scope of the 1957 Act, although his Attorney General acted on his own initiative to prevent this. There is little doubt that part of the responsibility for the weakness of the 1960 Act is Eisenhower's. A liberal Bill, especially in the field of civil rights, could not have passed without firm leadership from the President. Eisenhower chose instead "equivocation and inaction, rather than resolute leadership".<sup>23</sup> It is true that even with his support, the outcome might have been little different, with Congress in the hands of conservative leadership, but without it, a strong Bill was doomed.

Despite his half-hearted leadership in civil rights, many Negroes were grateful for his intervention at Little Rock, the appointment of Chief Justice Earl Warren, who was seen by many as the champion of black rights (although Eisenhower privately regretted the appointment) and the promise of civil rights legislation in 1957, sponsored by the administration. This was reflected in 1956, when 40% of the Negro vote supported him for a second term. This was a dramatic increase over Eisenhower's showing in 1952, also against Adlai Stevenson, when he had only achieved 21% of the Negro vote.

The Negro vote in 1960 played a large part in President Kennedy's victory. For example, Illinois was carried by 9,000 votes, and 250,000 Negroes are estimated to have voted for him there. Similarly, in South Carolina, he won by 10,000 when an estimated 40,000 Negroes voted for him.<sup>24</sup> This was quite

probably due, at least in part, to Kennedy's phone call to Mrs King when her husband was in jail. Certainly his campaign capitalized on the incident, two million pamphlets were printed and distributed around the country describing the episode. So, elected with a mandate from the Negro population on a strong civil rights platform <sup>(1)</sup>, Kennedy had inspired great expectations for rapid progress among many American blacks. In 1962, however, Joseph Rauh <sup>(2)</sup> said of Kennedy, "he got a 'plus' when compared with Eisenhower, but a 'minus' when compared with his own campaign promises".<sup>25</sup>

Up to that point in his administration, Kennedy attempted to mollify the Southern Congressmen, partly because he was pessimistic about the chances of passing effective legislation after the attempts in 1957 and 1960, and partly because he did not want to anger them over civil rights legislation or executive action, in case they might block his other legislative measures. An example of his conciliatory attitude was over his appointment of district court judges in the South. In deference to Southern Senators he picked several segregationists. Eisenhower, by contrast, as a Republican, had no Southern Senators to propitiate, but still appointed several judges

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(1) Kennedy promised desegregation of federally assisted housing "at the stroke of the Presidential pen".<sup>26</sup> He also indicated he would use Executive leadership to eliminate discrimination in Government, Presidential leadership in Congress to fulfill the Democratic platform proposals and the moral and educational authority of his position to create understanding and tolerance.

(2) A Washington civil liberties lawyer and leading member of the "Americans for Democratic Action" group.



who were anti-civil rights. An analysis of judges named by the two Presidents in the Fifth Circuit, showed each was responsible for five segregationists, Eisenhower for eight moderates and Kennedy for three, Eisenhower for two integrationists and Kennedy for eight.<sup>(1)</sup> Despite this, his judicial appointees were a grave disappointment to black leaders and an obstruction to his own aims.

Legislation was, therefore, dismissed as a possibility until February 1963, and there are several reasons why Kennedy chose this time to make his legislative drive. Schlesinger argues that, "the President, recognizing the discontent and perceiving a need for action if he were to preserve his control, had decided to seek legislation".<sup>27</sup> Since January 1961, the Kennedy administration had strongly influenced the direction of the civil rights movement. The shift from Freedom Rides to voter registration had been suggested by Robert Kennedy. However, with the events at the University of Mississippi<sup>(2)</sup> and later in King's Birmingham campaign, the civil rights movement, and the reaction it aroused, had passed the administration by. The situation was rapidly reaching a crisis

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(1) Mary J. Curzan: "A Case Study in the Selection of Federal Judges in the Fifth Circuit 1953-63", a Yale Ph.D. thesis discussed in Carl M. Brauer: John F. Kennedy and the Second Reconstruction (1977, Columbia Univ. Press, New York) pp. 123 and 340; and A.M. Schlesinger: Robert Kennedy and His Times (Andre Deutsch, London) pp. 333-34.

(2) Riots had occurred over the registration of James Meredith, under Supreme Court orders, the first Negro to attend the University of Mississippi. Twenty thousand troops were needed to restore order.

point, and President Kennedy felt that it was imperative that the Federal Government should intervene.

A second reason for Kennedy's action might well have been his own perception of himself as a leader, and his deep conviction that equality must be fully upheld. He realized that the Civil Rights Bill could fail and might cost him the next election, but he felt it was the right decision<sup>(1)</sup> and he was "deeply and firmly committed to the cause of human rights as a moral necessity".<sup>28</sup> It is probable, given Kennedy's perception of the Presidency,<sup>(2)</sup> that he would have seen the mass action in Birmingham, on a scale previously unknown with thousands being arrested, and the brutality with which it was met, as calling for decisive leadership and a regaining of control over events by the Presidency. It was also, probably, a factor, that with the election of 1962<sup>(3)</sup> Kennedy would have felt his personal mandate renewed and possibly felt more confident to pursue this legislative goal.

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(1) According to a quote of the President, in private conversation with Luther Hodges mentioned in Brauer: op.cit. p. 247 and Schlesinger: op.cit., p.372.

(2) See John F. Kennedy's book, Profiles in Courage, (1956, Harper & Row, New York).

(3) The Democrats, surpassing any administration in a mid-term election since 1934, gained 4 seats in the Senate and had a net loss of only 2 in the House. The internal composition of Congress was little changed, but this was a great boost for the administration who could have expected to suffer significant losses. See A.M. Schlesinger, A Thousand Days, John F. Kennedy in the White House (1965, Houghton, London) pp 588-9 and 644.

President Kennedy let it be known that he considered the vote, particularly in the South, the key to Negro advancement.<sup>29</sup> By his strategy of foregoing legislation, he was probably seeking to prolong the traditional "honeymoon period" between a new President and Congress, which would have certainly evaporated quickly, had he begun his term with civil rights legislation. Kennedy also took this time to try and convince the South by his actions over the Freedom Rides, that he was not vindictive to the South and did not intend to attempt to force change on the people there. It is probable Kennedy's preference for voter registration was due to two main reasons. Firstly, to decrease activism on the streets which could lead to violence, and secondly, because if Negroes could gain political power in the South, the "Dixicrats" would have to moderate their political stance, and so facilitate civil rights legislation.

Despite this careful courting of civil rights opponents Kennedy, although moderating his Executive action (for instance over the housing order), still used it to good effect. He promoted an end to racial discrimination in voting, schools, the federal government, jobs and housing. From June 1961 to June 1963, the numbers of Negroes holding jobs in the middle grades of the civil service increased by 36.6% and in the top grades by 88.2%.<sup>30</sup> from an admittedly low base. In the latter part of the administration he committed the moral authority of his position to racial justice by speaking to the nation in support of civil rights. Overall in his

administration, Kennedy surpassed any previous civil rights advocacy by a President and made civil rights a focal point of public policy and political debate. It would have been difficult for Lyndon Johnson, even if he had wanted to, to reverse the building of equality after Kennedy laid the foundations.

Despite the unease of some blacks over the Presidency of a Southerner, Lyndon Johnson soon revealed his support for the Negro cause. Johnson had played a significant role in the passing of the 1957 and 1960 Acts. Although he often acted to weaken the bills, as they passed through Congress, it is quite likely that without these amendments, he would have been unable to convince his fellow Southerners to allow them to pass at all. His leadership in legislation was reinforced in 1965, with his strenuous efforts to see the Voting Rights Bill enacted.

Many writers claim the Voting Rights Act was the "result" of the events at Selma.<sup>(1)</sup> However, as David Garrow points out,<sup>31</sup> Johnson made the decision to put forward voting rights legislation in 1965, before King opened his Selma campaign. This claim is reinforced by a memorandum drafted in December 1964, forwarded from Attorney General Katzenbach to the President outlining legislative proposals, which Johnson says he had asked for soon after the November election.

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(1) Among them are Doris Kearns: Lyndon Johnson and the American Dream, (1976, Harper & Row, New York), page 228; Eric F. Goldman: The Tragedy of Lyndon Johnson (1969 A.A. Knopf, New York), page 318; John Herbers: The Black Dilemma (1973, John Day, New York), page 27 and Thomas Dye: The Politics of Equality (1971, Bobbs - Merrill, Indianapolis), pp 55 and 122.

What is not in dispute, however, is that extensive news coverage of the Selma demonstrations, and President Johnson's national speech, ensured the Bill would be enacted into law, with the minimum of delay. The events of Selma heavily influenced the speed and the scope of the Bill, if not its inception.

President Johnson, at this point in his Presidency, firmly supported the civil rights fight for equality in Congress and in his speeches. He too, had a mandate from the black community. Civil rights had been a large factor in his landslide victory over the Republican Presidential candidate, Senator Barry Goldwater, and Johnson maintained the Civil Rights emphasis in Democratic leadership that Kennedy had initiated. The fact that this did not last throughout his Presidency will be investigated at a later stage.

From 1957 to 1965, there were four Civil Rights Acts and several Supreme Court decisions, all contributing to the advance of the Negro towards equality in the United States. There had been a constantly rising tide of expectation among American blacks in this period. When in Birmingham, this tide threatened to engulf the President who had been, in part, responsible for it, he tried to respond with the 1964 Civil Rights Act. However, by the time Congress had finally enacted the 1964 and 1965 Acts, the cries of "freedom now" were being drowned by cries of "Black Power". The process had been too slow for many blacks who were turning to the "long hot summers" and more extremist politics.

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## Chapter Four

Malcolm X: The Radical Alternative

In 1946, Malcolm Little, alias "Detroit Red", was sentenced, at the age of twenty-one, to eight to ten years in prison for burglary and theft. This ended his criminal career and began a process of change in him that would influence the way all black men in America were regarded by many whites. Malcolm served six years in three Massachusetts prisons and it was during this time that his brother Reginald introduced him to the ideas of the Honourable Elijah Muhammed, leader of a small religious sect, the "Lost-Found Nation of Islam". Muhammed preached that the black man's hell in America was caused by white oppression and that to gain salvation he had to give up the white man's religion and adopt the true one, Islam. Malcolm studied Muhammed's ideas and by the time he left prison in 1952, he had been converted. He changed his surname to "X" to signify his renunciation of his former life and his abandonment of the slave name, "Little".

He rose quickly in the hierarchy of the Nation of Islam, organizing ministries in Boston and Philadelphia, before becoming minister of Temple No. 7 in Harlem, New York. By hard work and fiery rhetoric he built it into the leading temple in the country and Malcolm became a trusted minister and disciple of Elijah Muhammed. One incident plucked Malcolm from relative obscurity and pushed him to the forefront of Harlem life. One evening in April 1957, angry at the beating by police of one of their members, Johnson Hinton,



Malcolm, with a squad of the "Fruit of Islam,"<sup>(1)</sup> surrounded a Harlem police station and demanded Hinton be released and receive medical treatment. This dramatic and successful act of defiance and the \$70,000 damages for personal injury by the police, later awarded in court, established the Nation in Harlem and launched it on a period of growing membership and rising prosperity. The few hundred signed-up believers became two thousand with a presence and impact far larger than their actual numbers. Malcolm's influence steadily mounted and, mainly due to his efforts, the Nation grew to over forty thousand strong, "with twice that many sympathizers in more than twenty cities".<sup>1</sup> Membership fees, weekly tithes, and receipts from small businesses contributed over \$100,000 annually to the movement.

Heightened visibility in the ghetto brought increased exposure through the media. C. Eric. Lincoln, who coined the name, "Black Muslims", by which they came to be known, wrote the first book about them in 1961. This was followed by others, notably one by E.U. Essien-Udom, which was actively encouraged by the Muslims. Newspapers, magazines, then radio and television began to put the Nation on public view. The publicity was a boost for the Muslims, but a mixed blessing to Malcolm. Much of it cast him in the most simplistic terms as a hatemonger and a demagogue. This image ultimately hurt the Nation and haunted Malcolm after he left it.

Malcolm's rise to national prominence brought with it special problems. His popularity with the media was a cause for jealousy and gave rise to suspicions in the movement that

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(1) A highly secret self-defence corps of the Nation of Islam trained in unarmed combat.

he was a vain publicity-seeker acting above his station. Dissatisfaction was also becoming apparent on Malcolm's part. He wanted more active participation in the Civil rights struggle and recognition for Muhammed (and later himself) as legitimate claimants to a place in the Negro leadership. He believed the Muslim's non-involvement policy was the reason for the stagnation in growth after years of steady expansion. This came to a head in April 1962, when Los Angeles police shot seven Black Muslims, killing one and crippling another for life. Sixteen Muslims were arrested on criminal assault charges and held on a total of \$160,000 bail. Given charge by Muhammed, Malcolm began a campaign in defence of the victims and organized mass protest meetings with media coverage. Then, without advance notice, or any explanation, all protest plans were dropped by Muhammed and emphasis put on a purely legal defence in the courts. Malcolm said later:

"The Messenger /Muhammed/ has seen God. He was with Allah and was given divine patience with the devil ... the rest of us Black Muslims have not seen God, we don't have this divine gift of patience with the devil. The younger Black Muslims want to see some action".<sup>2</sup>

Personal factors also played a part in the growing rift. Malcolm's conclusion that Muhammed had been violating the Nation's strict sexual codes undoubtedly weakened his respect for him. Muhammed's confidence in Malcolm was probably eroded by slanderous rumours circulated by members who feared Malcolm's growing power. The occasion for the split between them was a

remark<sup>(1)</sup> Malcolm made after President Kennedy's assassination. It was in line with the pronouncements the Nation had been making for years, but violated a ruling on the matter by Muhammed. Malcolm was suspended for ninety days and submitted humbly in public to the decision. However, when at the end of this period, in March 1964, he had not be reinstated, Malcolm announced he was leaving the Nation and forming his own organization.

Malcolm's thought was restricted, at least publicly, to Black Muslim doctrine from 1952-64. Muhammed's teaching was based on a myth called "Yucub's History", which told a different story of creation, the core of which was that the white man is the devil. Muhammed taught that Allah had decreed the white man will be destroyed by fire, pestilence, disease, sin and cosmic upheaval. Blacks, to be saved must separate themselves from the devils before the day of Armageddon. They must give up evil ways learned from white people; unhealthy foods including pork, drinking, smoking, fornication, drugs, gambling, lying, stealing and race mixing, and prepare for freedom through hard work and prayer to Allah. Malcolm took this doctrine and applied it to the present day. He talked on integration, non-violence, the civil rights movement and defended

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(1) On December 1st, 1963, nine days after Kennedy's assassination, Malcolm attributed the President's death to the climate of hate and violence that whites had created or tolerated:

"Chickens came home to roost - being an old farm boy myself, chickens coming home to roost never did make me sad; they've always made me glad".<sup>3</sup>

Malcolm had come to represent the activist, radical tendency in the leadership and Muhammed the abstentionist, conservative tendency. This was the main breaking-point and the Kennedy remark only the excuse for the split.

the Black Muslim position against some of the best speakers of the day. Although many of his positions changed after he left the Nation, since his later thought derived from this period, the Muslim ideology must be examined.

The main aim for the Muslims was separation; they wanted a mass return to Africa or, failing that, a separate state, supplied for an initial period of twenty-five years by the government. This was a demand, not a request, in recompense for their long years of enslavement. The attempt to integrate blacks into society was to advocate their destruction as a race. Malcolm thought that integration would not happen on a significant scale anyway, without great bloodshed;

"If all the token integration which you see in the South, and it's only tokenism, has caused the bloodshed that it has, what do you think white people both North and South, will do on the basis of real integration?"<sup>4</sup>

Integration was a chimera to be pursued by middle-class blacks fleeing their blackness. The method they used to seek it, non-violent protest, was a degradation. To limit the protest, whites had taken over the civil rights movement by joining it and financing and so diluting it and by "flattering its leaders with media attention, rigged popularity polls and periodic invitations to tea and sympathy at the White House."<sup>5</sup>

This is what happened, Malcolm claimed, to the March on Washington. "They didn't integrate it, they infiltrated it ... And as they took it over, it lost its militancy."<sup>6</sup>

Of the Negro leaders he said; "They control you, but they never have incited you or excited you ... They contain you."<sup>7</sup>

Malcolm preached these ideas and all Muhammed's other teachings in morals and the way of life with unswerving devotion during his years with the Nation. However, he also stretched the bounds of Muhammed's doctrine. He introduced new elements of style and ideology into the faith. Although Muhammed kept him out of active participation, Malcolm kept the Nation in the headlines by commenting on national events. After he left the Muslims, the new head of the New York mosque, James X, and his assistant, Henry X complained:

"It was Malcolm who injected the political concept of 'black nationalism' into the Black Muslim movement, which was essentially religious in nature when Malcolm became a member." 8

On March 12th 1964, Malcolm announced he was forming a new organization. Straight away he revealed the gap between him and the Muslims and his desire to be involved in direct action. He said that the Muslims had "gone as far as they can" because they were too narrowly sectarian and too inhibited. He continued:

"I am prepared to cooperate in local civil rights actions in the South and elsewhere and shall do so because every campaign for specific objectives can only heighten the political consciousness of the Negroes and intensify their identification against white society ... There is no use deceiving ourselves. Good education, housing and jobs are imperatives for the Negroes and I shall support them in their fight to win these objectives, but I shall tell the Negroes that while these are necessary they cannot solve the main Negro problem."9

Here, Malcolm was announcing a move to direct action. This was not, however, a move towards the integrationist view as he points out. He went further to dash any such claim:

"I shall also tell them that what has been called the 'Negro Revolution' in the United States is a deception practised upon them, because they have only to examine the failure of this so-called revolution to produce any positive results in this past year ... There can be no revolution without bloodshed and it is nonsense to describe the civil rights in America as a revolution." 10

Malcolm still could not bring himself to criticise Elijah Muhammed. He later said he had hoped to avoid friction with the Black Muslims, but he was soon to realise that he was a direct threat to them, both in what he knew about the Nation, and because his new organization represented direct competition to them. In the meantime, he said;

"I still believe Mr. Muhammed's analysis of the problem is the most realistic and that his solution is the best one. This means that I too believe the best solution is complete separation, without people going back to our African homeland." 11

However, he now saw this as a long-range solution and the temporal needs of blacks for better jobs, homes and schools came first. He declined to discuss the "internal differences" that had "forced" him out of the Nation of Islam. Later he regretted this;

"I made an error, I know now, in not speaking out the full truth when I was first suspended." 12

His new "Muslim Mosque, Inc." (M.M.I) would give him the religious base from which to "rid our people of the vices that destroy the moral fibre of our community."<sup>13</sup> For those who were not religiously inclined, the secular programmes would be open to all accept whites, who could only contribute ideas or money:

"There can be no black-white unity until there is first some black unity." 14

The political, economic and social philosophy would be "black nationalism" which meant politically;

"We must control the politics and politicians of our community ... sweeping out of office all Negro politicians who are puppets for the outside forces." 15

Finally he reiterated his belief in self-defence:

"In areas where our people are the constant victims of brutality and the government seems unable, or unwilling, to protect them, we should form rifle clubs that can be used to defend our lives and our property in times of emergency." 16

Malcolm's vision of black nationalism depended heavily on the idea of black community strength. Having spent many years of his adult life in the all-black area of Harlem, he pointed to it as an example of separation from white society in practice. Most of the blacks living in Harlem and similar ghetto areas in America would spend their lives there, never amassing the wealth or education to allow them to escape its poverty trap. Malcolm, therefore, believed that they should run the ghetto. As a Muslim, he equated black nationalism with separation into a separate nation, or a return to Africa. By March 1964, he differentiated the two concepts and by May 1964, he had given up all advocacy of a separate nation, saying he thought Negroes should stay in the United States and fight for what was rightfully theirs. To be able to fight effectively blacks would have to build a sense of community, recognise their heritage and develop a racial pride. He

constantly tried to expose the white American as an exploiter and manipulator of the blacks, to help bind blacks together in a rejection of racist institutions and values in American society. When black solidarity had developed, Negroes could bargain for a better life from a position of strength.

This March 12th speech, which has been called his "declaration of independence", <sup>17</sup> was vague about what his new organization should actually do. Malcolm only spoke of recovering control of community politics, hardly a new idea, and of repudiating non-violence as a strategy. This is not surprising since he had announced his decision to leave only four days previously. His statement had been improvised and he continued formulating his plans in this manner over the next weeks. His transformation from Black Muslim to independent leader in black politics was a process of trial and error, discovery and disappointment, over a period of months. From the outset, the M.M.I. was weak and ill-structured, however, several writers especially Breitman, regard it as a period of transition, a time when Malcolm was still feeling his way and developing his own ideas.

One of the most notable speeches he made in this period was on April 8th 1964, at the socialist Militant Labour Forum in New York. He continued his attempts at conciliation begun the previous month;

"All our people have the same goals, the same objectives. That objective is freedom, justice, equality. All of us want recognition and respect as human beings." Separation and integration are only methods. "Our people have



made the mistake of confusing the methods with the objectives. As long as we agree on objectives, we should never fall out with each other just because we believe in different methods or tactics or strategy to reach a common objective." 18

Malcolm probably did not believe that separation and integration were "just methods". Means and ends were as inextricably intertwined for him as for the civil rights people; they could not abandon non-violence, he could not adopt it. He was trying to make himself more amenable to the mainstream movement by stating that they had common aims, and also by shaking off more of his Muslim past by saying that separation was not an end in itself, but a means "to obtain freedom, justice, equality and respect as human beings." 19

Although he was trying to bridge some of the gap between himself and the civil rights leaders, he was not about to join them. It is more probable that he hoped to find some middle-ground by softening his own line, while radicalizing their views. To this end, he spoke to an S.N.C.C. audience in Selma, Ala., who were organizing for the vote, supporting their action, but advocating self-defence when attacked. Malcolm believed that non-violence, as it stood then, perpetuated the conditions that the Negro was struggling against. The harsh realities of black life were not going to be changed, he said, by demonstrations or even by the passage of minimally-enforced civil rights legislation and the token victories of the movement were only "devices to lessen the danger of an explosion, but not designed to remove the material that's going to explode." 20

In mid-April, Malcolm left for an extensive tour of the Middle East and Africa, where he was received enthusiastically by heads of state, ambassadors, political leaders and expatriate black Americans. He made a pilgrimage to Mecca, the shrine of orthodox Islam, entitling him to the use of "El-Hajj" in his name and he became known to Muslims as El-Hajj Malik El Shabazz. He underwent a "spiritual rebirth"<sup>21</sup> after seeing the fraternal relations among the multi-racial pilgrims. As a result, on his return, he no longer believed racism was an incurable cancer destroying America, that it could be overcome and sweeping indictments of the white race were wrong. It has been suggested<sup>(1)</sup> that Malcolm had already reached these conclusions before his trip and only used his pilgrimage as a way of introducing the idea to the masses as less of a "u"-turn", but, while this is plausible it can only be speculated upon.

In Ghana, he met with President Nkrumah and became convinced it was time for all Afro-Americans to become an integral part of the world of Pan-Africanists. He established a network of contacts in Egypt, Lebanon, Saudi Arabia, Nigeria, Ghana, Morocco and Algeria. When he returned to America on May 21st 1964, it was with a sense of his African heritage and a broadened perspective on the world forces affecting Afro-American affairs.

In a press conference on his return, he again confirmed

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(1) See Louis E. Lomax: To Kill a Black Man . (1968, Holloway House, Los Angeles), pages 170-176.

that he wanted to enter a united front with various civil rights leaders. He was anxious to come into what he described as "a new regard by the public, especially Negroes,"<sup>22</sup> as a radical alternative for blacks who were too angry to surrender and too proud to beg. He also called for the expansion of civil rights activities to an international level, hoping that if the Negro situation were classed as a violation of human rights, it might be raised at the United Nations and America condemned by the world as racist.

While in Africa, Malcolm had become convinced that the M.M.I. was not the proper vehicle for the non-religious activities in which he wanted to engage. In March, he had been very concerned to promote the widest possible black unity, being careful to convince leaders he was not interested in "raiding" their organizations;

"I won't tell Negroes to come and follow me, I'll tell them to join any organization where black nationalism is practised." <sup>23</sup>

He was also very clear in his wish for non-Muslims to join him, however, he now realised that was impractical with the M.M.I. as his sole organization. So on June 28th 1964, he announced the formation of a secular group, the "Organization of Afro-American Unity" (O.A.A.U.) modelled after the "Organization of African Unity" founded by the heads of independent black African states. A statement of basic aims and objectives was released putting brief proposals forward under the titles of education, political/economic, self-defence, social and cultural. It read like a Black Power manifesto

two years ahead of its time; a declaration of the importance of black control of every aspect of the black community. Its agenda was to include voter registration, school boycotts, rent strikes, housing rehabilitation, programmes for drug addicts, a war on organized crime and a black cultural revolution to "unbrainwash an entire people".<sup>24</sup> Whites were again forbidden to join and this time even to give money. He announced an initiation fee of \$2 and dues of \$1 a week to keep the O.A.A.U. out of white control. Malcolm acknowledged the "roughness" of the statement and a committee was set to work in January 1965 to produce a programme.

Malcolm's main interest was in bringing the United States before the United Nations Human Rights Committee, on the grounds that the deteriorating plight of Afro-Americans was a violation of basic human rights. In July 1964, he returned to Africa to lobby heads of state gathered in Cairo for the second summit conference of the Organization of African Unity. He was given observer status, a berth on a yacht with the leaders of the major African national liberation movements and was allowed to submit a memorandum to the delegates. As Essien-Udom says:

"This was quite a feat! It must be remembered that this was a head of state summit meeting. It was an extraordinary concession to Malcolm and the Afro-American community he represented, since he was neither a head of an existing state, nor a leader of a state in exile." <sup>25</sup>

A moderately worded resolution was passed acknowledging concern with racial problems in the United States. It noted

the recent Civil Rights Act, but was deeply concerned "by the continuing manifestations of racial bigotry and racial oppression against American Negro citizens,"<sup>26</sup> and concluded with the wish that the government would intensify its efforts against discrimination. Malcolm's efforts were further rewarded during the United Nations debate on U.S. involvement in the Belgian Congo crisis of the autumn of 1964. Several African delegates, whom Malcolm had previously contacted, connected the oppression of blacks in the United States with America's action in the Congo. Ghana's foreign minister argued that the United States had no more business there than Ghana would have intervening in the American South "to protect the lives of Afro-Americans ... tortured and murdered for asserting their legitimate rights."<sup>27</sup>

Malcolm had placed the problem on the international agenda, but he had not obtained the widespread support he had hoped for. Consequently, he visited African capitals for some time after the conference for talks with important heads of state (Nasser, Nyerere, Mkrumah, Kenyatta, Obote and others). While meeting these leaders Malcolm gained an appreciation of the complicated nature of African affairs and of the limits the complications placed on his own aims. On this trip the reaction of the Islamic University in Cairo certified Malcolm's ministry in America and the World Muslim League in Mecca made him their American representative.

On his return to New York on November 24th 1964, he finally gave up any links or relations with Elijah Muhammed. He suggested Muhammed was a religious faker and said;

"My religion is Islam as it is believed and practised by the Muslims in the Holy City of Mecca. This religion recognises all men as brothers. It accepts all human beings as equal before God and as equal members in the Human Family of Mankind. I totally reject Elijah Muhammed's racist philosophy, which he has labelled 'Islam' only to fool and misuse gullible people, as he fooled and misused me".<sup>28</sup>

Malcolm then undertook an exhaustive speaking tour of major cities with black populations. His purpose was to heighten the black consciousness and create a new sense of identity; to foster a greater racial pride.

After this trip to Africa, Malcolm began to express his views on socialism. He had been very interested to discover socialism in Africa and the alternative it provided for the development and progress of a country. However, he did not throw himself into socialistic rhetoric as completely as some writers claim. Instead, his position, at this point, was composite rather than systematic; he had "a loosely strung series of positions held together more by his militant bearing than by any single coherent philosophy".<sup>29</sup> As he said;

"I'm for a society in which our people are recognised and respected as human beings and I believe that we have the right to resort to any means necessary to bring that about. I'm headed in any direction that will bring us some immediate results."<sup>30</sup>

Early in February, he stated that the programme of the O.A.A.U. would be presented on February 15th. However on February 14th his house was bombed and the presentation was

postponed until February 21st. On February 21st 1965, Malcolm X was assassinated in the Audulon Ballroom in Harlem as he began his speech. The programme was printed after his death and it suggested that the organization was to have a secretariat, or executive committee, under Malcolm's direction, the members of which would be in charge of eight policy and four administrative committees. An active secretariat would help Malcolm avoid the concentration of authority in one man that hampered the day-to-day operations of the Muslims. The parent body would help generate local chapters which would have two functions. They would help defend each community against the unlawful attacks of white racists and would work for the total revitalization and purification of the black communities. By creating semi-autonomous enclaves within white society and transforming each ghetto into a unified and militant alternative to integration or separation, the O.A.A.U. would make it possible for people to, within limits, control their economic, political and social destiny.

Malcolm wanted to create a mass nationalist struggle for the liberation of the black people in America. He had long since abandoned his Muslim or transitional belief in a return to Africa and, at the end, believed in a return only culturally and philosophically, to develop a working unity with the framework of Pan-Africanism. He had made the change from segregationist to revolutionary Pan-Africanist. He was revolutionary because he wanted radical change, although he was less interested in overthrowing institutions than undermining the

assumptions on which they were run. He decided that Afro-Americans must fight, not only to gain control of their community, but also to change society as a whole, to reconstruct it on a truly non-exploitative basis. To achieve this he thought socialism should be considered as an alternative, since he had concluded that capitalism is a cause of racism. The concept of changing society was a "profoundly revolutionary implication".<sup>31</sup>

As a black Muslim, Malcolm X faithfully spread the teachings of Elijah Muhammed, that "our enemy is the white man"<sup>32</sup> and that whites were a devil race created from the genes of blacks by an evil scientist.<sup>33</sup> These statements and his later advocacy of black self-defence earned him vilification in the media<sup>(1)</sup> as a man of violence and a hater. While still a follower of Muhammed, Malcolm defended these statements as trying to uplift the black man's mentality and his social and economic condition in the country, by breaking his reliance on whites and having him join a separate black nation. If he was a racist, he claimed it was because he was reflecting white society's treatment of him. When he broke with Muhammed, he no longer believed or taught that the white man was inherently evil, but that America's racist society encouraged him to act in an evil way.

Malcolm also had to constantly defend his position on self-defence, which was usually interpreted as his favouring and

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(1) The day after he died the New York Times editorial said, "He was...an extraordinary and twisted man, turning many true gifts to evil purpose...his ruthless and fanatical belief in violence...marked him for fame and for a violent end."<sup>34</sup>



promoting violence. He never advocated the initiation of violence by blacks. In his autobiography he said:

"I'm not for wanton violence, I'm for justice... when the law fails to protect Negroes from white's attacks, then those Negroes should use arms, if necessary, to defend themselves."<sup>35</sup>

Malcolm was not under any illusion that a powerless black minority could mount a physical challenge to a powerful white majority and survive. But, as C. Eric Lincoln points out, "they could mount a psychological challenge and, if they were persistent, they might at least produce some erosion in the attitudes and the strategies by which the white man has always protected himself and his interests."<sup>36</sup>

A challenge to racist institutions that was often proposed and was finally mounted in 1965 was a campaign for the vote. The importance of the vote was regularly over-exaggerated, not only by Malcolm X, but also by King and S.N.C.C. Malcolm said:

"America is the only country in history in a position to bring about a revolution without violence and bloodshed...because the Negro...holds the balance of power and if the Negro...were given what the Constitution say he is supposed to have, the added power of the Negro in this country would sweep all of the racists and the segregationists out of office. It would change the entire political structure of the country. It would wipe out the Southern segregationism that now controls America's foreign policy, as well as America's domestic policy."<sup>37</sup>

In making this statement Malcolm, and those who also believed the franchise would have an immediate and dramatic effect on the Negro's position, were ignoring the fact that Negroes were not a homogeneous group and were highly unlikely to vote as a bloc. Secondly, even if all Negroes were

registered overnight, it is likely that many older blacks would not break the habits and fears of a lifetime and vote straight away. However, although the right to vote was not in question, the ability to exercise that right would be a great psychological victory for the Negro and, if wrested from the grip of the segregationist, a great blow to him. It was of significant value therefore, despite the fact that it was not a panacea for all the problems of the Negro.

Many interpretations have been placed on Malcolm's contribution to the struggle of the Negro for an equal place in society. On one side there is the Reverend Albert Cleage, who argues that his single contribution was to teach black people the "first basic principle" that "the white man is your enemy". On that principle, Cleage contends, black people can "build a total philosophy, a total course of action for struggle".<sup>38</sup> He does not believe Malcolm was seriously interested in relating the black struggle to "the struggles of oppressed people everywhere".<sup>39</sup> On the other side George Breitman argues, "Malcolm was a radical both before and after leaving the Black Muslims. After, he was a revolutionary - increasingly anti-capitalist and pro-socialist, as well as anti-imperialist."<sup>40</sup> The Essien-Udoms share this position;

"He had become a foe of the international capitalist system and a staunch Pan-Africanist ...He was not thinking solely in racial terms toward the end of his life. He very clearly indicated that the oppressed [black citizens] might find allies both in America and in Europe that were opposed to the capitalist system".<sup>41</sup>

E.U. Wolfenstein contends that,

"For the black masses, the struggle for racial



liberation was necessarily revolutionary. Malcolm was the leading spokesman for the revolutionary interest of the masses; through the O.A.A.U., he hoped to bring the Negro middle-class into this projected mass struggle. The end result of this activity was to bring the black masses into the middle-class reform movement. He helped to create the revolutionary means needed to realise radical reformist ends. By so doing, he helped to weaken the line of class division within the black community."<sup>42</sup>

Thomas Blair said he will be remembered for "his definition of a way to deal with the system of radical politics and his efforts to redefine the relationships of blacks to the white power structure".<sup>43</sup> Peter Goldman simply states, "Malcolm's real contribution to the struggle was catalytic, not corporate."<sup>44</sup> Finally, C. Eric Lincoln claims, "Malcolm was the first of the contemporary black revolutionaries".<sup>45</sup>

Most writers agree that Malcolm X infused a previously lacking racial pride into the freedom movement. There is also a broad consensus that he developed a new consciousness in the American Negro; at a minimum, he showed the politically aware an alternative to the non-violent integrationist approach to the problem and many adopted it later in various forms. Malcolm is often criticised for not forming a lasting organization. Although this is true, it can be countered by the fact that he left behind instead, an abundance of ideas and inspiration in the short time he had. (In less than one year between the split and his death, Malcolm was in the country only five months.) His lack of direct action can be accounted for in the same way, plus the fact that he was caught in a political vacuum. Black moderate leaders thought him too militant. White liberals

and the traditional Socialist and Communist Party leaders denounced his ideas as "racism in reverse" and a danger to their hopes of forging a national alliance of whites, blacks, trade unions and the Democratic Party.<sup>46</sup> New black, radical groups thought he was losing contact with the people in the ghetto and abandoning black nationalism and separatism for Trotskyist socialism. As Malcolm said; "They won't let me turn the corner. I'm caught in a trap".<sup>47</sup>

Malcolm's attempt to develop good relations with the civil rights leaders while still pursuing black nationalism might, in the eyes of some observers, leave him open to charges of confusion and trying to keep a foot in both camps. While it is true that he was sometimes unsure as to the best policies to follow in his last year, Malcolm had always the central aim of radicalizing blacks. "His objective was to heighten the consciousness of the ghetto and to cost white people sleep in the process".<sup>48</sup> His aim in courting civil rights leaders was not to join them, but to avoid the isolation that was rapidly overcoming him. Malcolm had challenged the leaders and the orthodoxies of the civil rights movement in the midst of its glory days and he had paid the cost of a kind of quarantine that only lifted with his death. As with other "martyrs", many of those who had shunned him as dangerous when he was alive, later professed a close association with him. While he sought to keep good relations with those leaders, in the hope they might move closer to his position in the future, he did not compromise his beliefs to do so. In the summer of 1964 the

New York Times wrote;

"Malcolm X is going to play a formidable role because the racial struggle has now shifted to the urban North. If Dr. King is concerned that he has sacrificed ten years of brilliant leadership, he will be forced to revise his concepts. There is only one direction in which he can move and that is in the direction of Malcolm X."<sup>49</sup>

Another criticism levelled at Malcolm X is that he had no pursuable strategy, no concrete programme and that his personal philosophy was simply a ragbag of other ideas loosely drawn together. For instance, several writers emphasize Malcolm's tentative adoption of some aspects of socialism. Breitman, in particular, makes much of the occasional socialist phraseology that Malcolm used,<sup>(1)</sup> but his wife, Betty Shabazz, insisted that Malcolm was not a socialist.<sup>50</sup> Some apologists for Malcolm explain his lack of strategy or clear direction by pointing out how far he developed from his Muslim days in the short time he had. Others, such as Goldman, use empty rhetorical phrases to excuse this feeling such as;

"Malcolm's life was an accusation and the real meaning of his ministry in and out of the Nation of Islam, was to deliver that accusation to us...He was not so much a politician as a moral commentator on politics."<sup>53</sup>

What is clear is that Malcolm's talents, like those of Martin Luther King to some extent, lay not so much in organizing or developing programmes, as in the ability to articulate with rhetorical power the worst aspects of society, while at the

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(1) "Racism is the handmaiden of colonialism and capitalism"<sup>51</sup>

"It is impossible for capitalism to survive, primarily because the system needs some blood to suck... It's only a matter of time, in my opinion, before it will collapse completely."<sup>52</sup>

same time inspiring their followers to attempt change. King surrounded himself with an organization and advisers, while Malcolm, worked, for the most part, alone. In his plans for the O.A.A.U. Malcolm had proposed executive committees to help formulate and execute policy, which might have alleviated this weakness, but it was too late.

It was, however, Malcolm's beliefs that became the political currency for the end of the 1960's rather than those of King. His nationalist programme was almost wholly adopted by the advocates of Black Power,<sup>(1)</sup> the Black Panthers, and later by extremist groups<sup>(2)</sup> which resorted to robbery and violence to further the black "revolution". These latter groups were only using the name of Malcolm X, rather than his ideas. The black nationalism Malcolm promoted was less concerned about the details of blacks achieving domination over their community than persuading black people that they could do it. His nationalism began with self-respect; "That's what black nationalism is - personal pride."<sup>54</sup> He maintained that the philosophy;

"had the ability to instil within black men the racial dignity, the incentive, and the confidence that the black race needs today to get up off its knees and to get on its feet and get rid of its scars and to take a stand for itself."<sup>55</sup>

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(1) see next chapter.

(2) For example, the "Black Liberation Army" and the "May 19th Coalition".

By 1966, the younger civil rights workers of S.N.C.C. and C.O.R.E. had tired of the beatings and the jailings they had received since 1960 for the non-violent ethic and began turning to the nationalist ideas of Black Power. They had entered the 1960's as the children of Martin Luther King, but left the decade as the "angry children of Malcolm X."<sup>56</sup>

Malcolm articulated the needs of the Northern ghetto black when no-one else could or would. He cannot be ideologically pinned down because, as he was constantly saying; "I'm flexible."<sup>57</sup> He formulated a new approach in the struggle for a proper place in society for the black man and he kept international attention on the racial situation in America. Although not the first to relate the American struggle to the emerging African nations, Malcolm was the most persistent and the most successful in heightening black cultural heritage and in linking the national struggle to the international one. He saw the storm of racial fury brewing on the horizon and even predicted some of the places it would hit, but no-one listened.

The last programme he developed, but was unable to put into action, was, although largely ignored at the time, later widely adopted by many groups as the basis of the Black Power programme. He recognised, as several moderate leaders later would, that the answer to Negro problems was not solely legislative or judicial but also economic. Perhaps then, more than any other black leader, Malcolm X could be accurately described as a man ahead of his time.

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## Chapter Five

Black Power

In 1966, there occurred a crisis of confidence within the civil rights leadership, as the movement agitated for new, more complex, goals which worried many white liberals and the more conservative organizations; the Urban League and the N.A.A.C.P. Martin Luther King began his first Northern campaign in Chicago in January 1966, with the aim of organizing slum tenants to demand better conditions. S.N.C.C. and C.O.R.E., and later King, had begun to speak out against the Vietnam War,<sup>(1)</sup> and this had produced another crack in the already weakened wall of civil rights unity. It was at this time of uncertainty that members of S.N.C.C. began using the term "Black Power" that was to prove so divisive to them and the whole movement. This chapter will investigate what the term meant to the people using it, how its meaning changed, and why it fell into disuse. An assessment will then be made as to the overall achievements and drawbacks resulting from the introduction of the concept.

King wrote in his book, Where Do We Go From Here: Chaos or Community?, that the poverty of the Northern black showed that political rights were insufficient, if economic factors were against them. Legally, Northern blacks could vote, work, use public facilities and could largely live where they wished.

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(1) In July 1965 King had spoken against involvement in Vietnam at an S.C.L.C. rally in Virginia. In January 1966, he wrote an article in a Chicago newspaper presenting his first long and reasoned antiwar argument, thus beginning his alienation from Lyndon Johnson.

Yet, in practice, they lived in black ghettos, like Harlem in New York, Watts in Los Angeles and the south side of Chicago. King realized that, "Jobs are harder and costlier to create than voting rolls. The eradication of slums, housing millions is complex far beyond integrating buses and lunch counters."<sup>1</sup> The frustrations of these Northern blacks untouched by the victories of the Southern based civil rights movement had erupted in ghetto rioting in 1964 and 1965. Although not a new phenomenon,<sup>(1)</sup> these riots represented a worrying development in the 1960's, since Northern protest had previously been non-violent, or restricted to separatist organizations, like the Black Muslims. In the spring and summer of 1966 there were thirteen "disorders", and this discontent in the streets was reflected in increasing militancy in S.N.C.C. and C.O.R.E.

At their April 1966 annual conference, S.N.C.C. voted for the radical Stokely Carmichael as their new chairman. He replaced the more moderate John Lewis, who had refused to boycott the White House Conference of Civil Rights. S.N.C.C. regarded the White House Conference as a useless endeavour by the administration, "designed to use black Americans to recoup prestige lost internationally", and that the "executive department and the President were not serious about ensuring constitutional rights to black Americans".<sup>2</sup> C.O.R.E. had been engaged in a campaign in Bogalusa, La., to desegregate

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(1) There were serious riots in Springfield, Ill., in 1908, Chicago in 1919 and Detroit in 1943.

the local industries. To protect themselves against attack they had allied with an armed force called the "Deacons for Defence". The policy of having armed guards was a marked departure from the tactics of praying for their attacker, but James Farmer, C.O.R.E.'s long-standing chairman, was forced to sanction it:

"If violence is on the horizon, I would certainly prefer to get it channelled into disciplined defence, rather than random homicide and the suicide of rioting."<sup>3</sup>

In an article in March 1966<sup>(1)</sup>, Carmichael had noted the apathetic and frustrated spirit among his workers and indicated the time had come for a bold new approach. The opportunity for its introduction came in June 1966, and it was to be a turning-point for the civil rights movement. James Meredith began a solo march from Tennessee to Mississippi to help dispel the fear among Southern Negroes. He was barely inside Mississippi when he was wounded by a sniper. The leaders of the major civil rights organizations met to continue the march as a means of revitalizing their lagging movement. However, rather than uniting them, the group became more fragmented. They argued over the goals of the march and the tactics that were to be employed. King got his way on tactics, with S.N.C.C. and C.O.R.E. agreeing to a non-violent interracial march, but there was further debate over the march objectives. Williams and Young wanted a single goal; achieving a strengthened version

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(1) Quoted in T.L. Blair: Retreat to the Ghetto (1977, Hill & Wang, New York), page 69.

of the Civil Rights Bill passing Congress. The militants produced a strident statement attacking President Johnson and ignoring the Civil Rights Bill altogether. A compromise was reached whereby the attack on the President was toned down and the Bill included. However, when released, the "march manifesto" made several demands, including a multimillion dollar "freedom budget" to involve the poor in "the making of their own destinies."<sup>4</sup>

This idea of black community control of federal funds represented a new direction for civil rights, which was to be rapidly developed by Carmichael. King signed the document with Carmichael and Floyd McKissick<sup>(1)</sup>, but to the others it seemed impossibly broad. They refused to sign and withdrew the N.A.A.C.P. and the Urban League from the march. Carmichael had deliberately forced Wilkins and Young to withdraw, leaving only King to be won over to his cause. He thought that it would be inadvisable to attempt to sway the three traditional organizations together, but that King would be easier to persuade, given his desire for unity between the civil rights groups.

When the marchers reached Greenwood, Miss., Carmichael posed a new threat to the remaining unity. Speaking to a large audience of mainly poor blacks he said;

"The only way we're gonna stop the white man from whippin' us is to take over. We've been saying 'freedom now' for six years and we ain't got nothin'. What we gonna start saying now is 'black power'."<sup>5</sup>

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(1) Farmer's successor as head of C.O.R.E. from January 1966.

King immediately declared himself against the slogan, because he thought it would be divisive, and he managed to stop its use for the remainder of the march. Carmichael had deliberately used the term at that time to try and force King to make a stand for Black Power, and to get him to join S.N.C.C. and C.O.R.E., in a more radical approach to the movement's aims. The result was, however, an ideological split in the movement and many different people tried to define the term to suit their own ends.

The controversy over the phrase and the confusion over its meaning dominated the C.O.R.E. annual conference that year. King refused to attend the conference, ostensibly because of the demands of his Chicago campaign, although D.L. Lewis<sup>(1)</sup> suggests it was really because he anticipated a C.O.R.E. pro-Black Power vote. Carmichael took his place and steered the slogan to acceptance by the convention. C.O.R.E. was still emphasizing working within the political system, but increasingly they saw themselves as not only independent of, but separate from, and in many ways hostile toward, existing political leaders and parties. C.O.R.E. at first advocated working within the Democratic Party, and planned a strategy of electoral politics for the run-up to the 1968 elections. Violence and urban riots were deplored, but accepted as a natural expression of oppressed people. C.O.R.E. aimed to reorganize the community through new leadership and political power with the two-party system. This meant replacing the present elected officials with blacks more responsive to

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(1) D.L. Lewis: Martin Luther King. A Critical Biography (1970, Penguin, London); p. 331

black wishes. C.O.R.E. wanted to try and cultivate a more positive black self-image, and build up enough economic power to command a greater share of federal resources. Under McKissick, C.O.R.E. rejected violence and still advocated working within white society.

When Roy Innis took over the leadership in mid-1968, his first press release showed a further move toward black nationalism. He declared that C.O.R.E. was irrevocably a black nationalist organization with separation as its goal and went on to endorse separatism as a system under which blacks could control their own destiny.

"When we have control of our own destiny, then we can talk about integration, for those Negroes who want it."<sup>6</sup>

He demanded recognition for blacks as a "nation within a nation",<sup>7</sup> and he envisaged a collection of black enclaves being woven together as a separate entity. Thus, Roy Innis' rise to leadership marked the emergence of separatist tendencies within C.O.R.E.

S.N.C.C. was moving faster and going further in the same direction. It disengaged from the civil rights movement, abandoned their Southern bases and began to espouse black urban revolt. They emphasized unity with African and oppressed peoples of the world and undertook Third World speaking tours. Carmichael toured American schools and colleges spreading black militancy and the Black Power slogan. He led S.N.C.C. into a brief alliance with the Black Panther Party, based on a shared belief in an anti-colonial struggle for self-determination, which would, at some point, involve widespread violence.



Carmichael, Brown, and Forman<sup>(1)</sup> all received positions in the Black Panther Party, but the alliance was short-lived because of ideological differences between the groups on the role of whites in their struggle.

The Panthers had a socialist element in their doctrine not readily apparent in the idea of Black Power. S.N.C.C., therefore, was against any white involvement, whereas the Black Panthers were interested in allying with white socialists. Carmichael became more involved in "cultural nationalism", rather than the Panther's "revolutionary nationalism". Cultural nationalism holds that black people throughout the world possess a distinct culture, and that before black liberation can be achieved in the United States, blacks must reassert their cultural heritage. A cultural revolution is, therefore, essential before Afro-Americans can command the unity necessary to revolt effectively against their "oppressors". It rejects separation or repatriation and claims that it is through culture and art that blacks are "prepared for liberation".<sup>8</sup> Carmichael was allegedly "equating black power with black violence",<sup>9</sup> and was therefore, expelled from S.N.C.C. After his expulsion Carmichael left America, disillusioned, in 1969. He lived for some time in the Republic of Guinea and has, more recently, adopted Pan-Africanist views and believes in black emigration to Africa.

Carmichael had been replaced as Chairman of S.N.C.C. in May 1967 by H. Rap Brown, who had begun to associate the

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(1) All former chairmen of S.N.C.C. and long-standing members of the group. Forman, for instance, was executive secretary from 1961-66.

the organization more and more with revolutionary rhetoric, reflecting the unrest raging in the urban ghettos. At a conference held in Newark, immediately after the rioting there, Brown urged blacks to "wage guerrilla war on the honkie white man".<sup>10</sup> Similar speeches in Cambridge, Md., led to his arrest for incitement to riot. This was the first of a series of arrests, occurring each time he was released, sometimes on dubious charges.<sup>(1)</sup> S.N.C.C. and C.O.R.E. declined rapidly from 1968. Their increasingly black nationalist views, and S.N.C.C.'s advocacy of armed guerrilla warfare, had totally cut them off from any source of organizational or financial support. Deprived of its leaders, Carmichael and the imprisoned Brown, S.N.C.C. went out of business. C.O.R.E. turned to political activism and helped elect significant numbers of blacks to office, in the national elections of 1968 and 1972. More recently, it has turned to voluntary service work, financed by government and foundations, but has been unable to harness the energies of the most aggrieved blacks.

The first group to try and define their interpretation of Black Power was S.N.C.C., who issued a position paper in August 1966. Its main theme was that whites should be

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(1) Over a period of eight months, Brown was arrested, released and rearrested five times. He was only given extraordinarily high bail, and when he left New York to see his attorney in February 1968, he was jailed and held in solitary confinement for bond violation. Brown thought these arrests were a government attempt "to silence him".<sup>11</sup>

excluded from black organizations, but was at pains to point out that this policy was not anti-white. Their claim was that white presence in a group that was trying to organize the "black masses", intimidated some blacks because they could not "vent the rage that they felt about whites, in the presence of whites".<sup>12</sup> White people should work in their own community and combat racism there, allowing "indigenous leadership" to be built in S.N.C.C. If blacks form their "own institutions, credit unions co-ops, political parties and write their own histories",<sup>13</sup> they will only be reflecting their experience of America as a racist society. Although this would leave only a very small number of S.N.C.C. members, they envisaged alliances with other all-black groups. They claimed blacks could not identify with the organization unless it was all black and, therefore, a source of pride. Their main aim was to break down the inferiority that blacks felt and to instil a sense of pride and ability to succeed. This determination to become independent included an end to reliance on white financial support, because it would entail an element of white control. For them, Black Power meant a "black-staffed, black-controlled, and black-financed, organization".<sup>13</sup>

Stokely Carmichael held a number of inconsistent views on Black Power and frequently contradicted himself on the issue

of black violence<sup>(1)</sup>. However, his most permanent and, one supposes, his most reasoned explanation of the term, appeared in the book "Black Power, The Politics of Liberation in America", written with Charles V. Hamilton<sup>(2)</sup> and published in 1967. To obtain true "liberation" in America Carmichael claims blacks must first develop a "sense of community".<sup>17</sup> Next, a process of "political mobilization" must begin. This entails questioning the old values of society which support racism. He rejects the aim of "assimilation into middle-class America" because it "perpetuates racism" as a class. The creation of new values necessitates new institutions in society, which will be more responsive to the needs and interests of black people. To modernize these "structures of society" a "broadened base of political participation" will be necessary. Blacks must become more politically active and choose their own leaders. They must no longer "deliver" the black vote and cannot be tied to the "white political machine". He sums up the Black Power concept as:

"a call for black people in this country to unite, to recognize their heritage, to build a sense of community. It is a call for black people to begin to define their own goals, to lead their own organizations and to support these organizations. It is a call to reject the racist institutions and values of this soccity".

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- (1) Carmichael said: Black Power "just means black people coming together and getting people to represent their needs and to stop oppression because of race". He didn't "see why the rallying-cry of Black Power would mean anti-white" <sup>14</sup> And "We cannot and shall not offer any guarantees that Black Power, if achieved, would be non-racist".<sup>15</sup> Also "If a white man tries to walk over you, kill him ... One match and you can retaliate. Burn, Baby, Burn." <sup>16</sup>
- (2) A black American political scientist who might be assumed to have contributed much of the political analysis of the book.

This concept rests, he claims, on the fundamental premise that solidarity is necessary before a group can operate effectively from a bargaining position of strength.

Carmichael defends this position from the label of "racism in reverse" and says its ultimate aims "are not domination or exploitation of other groups, but rather an effective share in the total power of society". He says he only wants full participation in the decision-making process affecting black lives. For support of this view he points to the National Committee of Black Churchmen, affiliated with the National Council of Churches, who wrote that, "without the capacity to participate with power, i.e. to have some organized political and economic strength, to really influence people, with whom one interacts, integration is not meaningful". The time of the non-violent approach has ended, Carmichael claims. Schools, unemployment and housing conditions are getting worse and the civil rights laws that are passed are deliberately weakly enforced. From this time, blacks will defend themselves if attacked and tokenism will be unacceptable. Black Power demands equal rights and conditions from society for blacks without individually integrating into white society and losing their identity. These benefits should be conferred on the black community as a whole, and blacks will unite to get them. In areas where they have a majority, will "use power to exercise control". Where they lack a majority, they will seek proper representation and a sharing of control. By

uniting with a common pride, they will be able to develop the political power base to achieve this.

Carmichael is specifically appealing to the Northern ghetto black in this book. This group, having already achieved the aims that were being fought for in the South, had been virtually ignored by the civil rights workers. Trapped in the ghetto by economic, rather than legal barriers, they wanted decent housing, equal education and a job. The calls to unite, develop a sense of community, attack new goals and have new leaders, were all aimed at the vast untapped area of the ghetto. The idea of self-defence was particularly necessary, since the example of being beaten and turning the other cheek was totally rejected by Northern blacks from Harlem, raised to believe more in Black nationalism than the Church. However, very little of this package was new to the North. Malcolm X had for years preached a similar message;

"The political philosophy of black nationalism means: we must control the politics and the politicians of our community. They must no longer take orders from outside forces ... There can be no black-white unity until there is first some black unity ... Concerning non-violence: it is criminal to teach a man not to defend himself, when he is the constant victim of brutal attacks ... the time has come for the American Negro to fight back in self-defence, whenever and wherever he is being unjustly and unlawfully attacked."<sup>18</sup>

Malcolm X is advocating all the major points of Carmichael's explanation of Black Power, and he was saying it three years earlier. Malcolm had also predicted riots, and in the 1966-68 period when the Black Power term was most

popular, the country was undergoing a series of progressively worsening domestic upheavals.

Martin Luther King analysed Black Power in his book, Where Do We Go From Here: Chaos or Community? He saw it as "a cry of disappointment ... born from the wounds of despair". He believed this despair came from the "gap between promise and fulfillment of the civil rights movement".<sup>19</sup> Young blacks had seen new freedoms encased in great laws, but the government had failed to enforce them, and so contempt for the legislative process and disillusionment in the capacity of law to change white attitudes had grown up. He also blamed the administration, who were "more concerned about winning an ill-considered war in Vietnam than about winning the war against poverty at home".<sup>20</sup> So, Black Power called for blacks to "amass the political and economic strength to achieve their legitimate goals," to "transform their condition of powerlessness to creative and positive power".<sup>21</sup> The problem of "transforming the ghetto" is one of "power; a confrontation between the forces of power demanding change, and the forces of power dedicated to preserving the status quo". However, three years earlier King himself has urged for Negroes to unite politically to make themselves heard. He called for the election of blacks to key positions, the use of the bloc vote, and the development of a new political awareness and strength in the Negro community.<sup>(1)</sup>

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(1) In his book: Why We can't Wait, (1964, New American Library, New York); page 149 ff.

The Black Power call for a pooling of black financial resources to achieve economic security was not new either. This was already practised by the S.C.L.C. in the plan "Operation Breadbasket" which had the primary aim of securing more and better jobs for blacks, by calling on the black community to support businesses giving a fair share of jobs to blacks, and withdrawing support from businesses practising discrimination. The S.C.L.C. had put this into effect in twelve cities, and achieved eight hundred new and upgraded jobs, worth over \$7 million in new income for blacks.<sup>(1)</sup> This idea had been used by the Nation of Islam and the Garvey movement, although the S.C.L.C. were the only group to advocate its use in conjunction with government aid to employment. Carmichael and Hamilton talked of forcing white business out of the ghettos. This might uplift Negro moral, and Negro co-operatives might help reduce the flow of capital out of the ghetto, and contributing slightly to the accumulation of capital and providing employment. Whether Carmichael and Hamilton saw this as the whole answer is unclear since the problem was more deep rooted than this solution suggested.

King agreed with the Black Power faction up to this point, but overall he thought it unlikely to succeed as the basic strategy for civil rights. He claimed it was "a nihilistic philosophy born out of the conviction that the Negro can't win". It holds, as its central tenet, the view that American society

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(1) Figures quoted from King: Where Do We Go From Here. Chaos or Community? (1967, Beacon Press, Boston); page 145.



is "so hopelessly corrupt and enmeshed in evil that there is no possibility of salvation from within".<sup>22</sup> He blames some of this disillusionment on himself since;

"For twelve years /he/ and others like /him/ held out radiant promises of progress. /He/ urged them to have faith in America and in white society. Their hopes had soared ... They were now hostile because they were watching the dream that they had so readily accepted, turn into a frustrating nightmare".<sup>23</sup>

King also disagreed with Black Power's "most destructive feature",<sup>24</sup> its call for retaliatory violence. He feared that the demarcation line between defensive and aggressive violence was very thin, and that once the former was embarked upon, it was only a matter of time before the latter was used.

However, Black Power was constantly being redefined and re-evaluated. A year after the publication of his book on Black Power, Charles V. Hamilton wrote an article for the New York Times Magazine, in which several significant changes could be seen from his original stance on the subject. He began by saying that in the contemporary situation, "it is virtually impossible to come up with a single definition satisfactory to all".<sup>25</sup> He stated that Black Power was concerned with "organizing the rage of black people", and that it must deal with the obviously growing alienation of black people and their distrust of the institutions of this society". He claimed that the riots may have made it clear that whites 'will have to "bargain" with blacks or "continue to fight them in the streets of the Detroit and the Newarks".

The ghetto rebellions, in addition to "producing the possibility of apartheid-type repression, have been functional in moving some whites to see that viable solutions must be sought".<sup>26</sup>

In his paper, Hamilton acknowledges the advances made by "Operation Breadbasket", crediting it with creating 2,000 jobs in Chicago alone.<sup>(1)</sup> This, he says, is Black Power in operation. He praises C.O.R.E. and S.N.C.C. cooperatives, and several independent ventures on the East Coast. He recognized these enterprises were small, and says "their purpose is to establish a modicum of economic self-sufficiency".<sup>27</sup> The role of the middle class is emphasized, stating their "awareness" is growing and that without them, "Black Power will probably die on the speaker's platform."<sup>28</sup> Hamilton also recognizes that Blacks will need white help in "many places", because there simply are not sufficient economic resources ... in the black community".<sup>29</sup> Also, politically, white support will be necessary, but internal unity is essential first. He admits that this lack of independence of the "white power structure" is where "rhetoric and the reality often clash". In many areas, Hamilton believes, it will not even be necessary to create black parallel agencies. If they have an independent base, blacks could work within the existing agencies, unless the organization in question was blatantly racist, as in the case of the Alabama Democratic Party under Wallace. Each situation should be assessed for cost and benefit and acted upon accordingly, insisting wherever possible, that

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(1) The figures are later than those already attributed to King.

institutions in the black community be led and staffed by blacks.

This paper represents a very significant toning-down of Black Power demands. While Hamilton did not speak for any major group, he was a respected academic and had co-authored the only major work on Black Power. It is very important, therefore, that such a prominent figure should have, by April 1968, markedly changed his position. The whole paper exhibits a new pragmatism that was seriously lacking previously. Hamilton allows for the necessity of blacks and whites working together, if blacks are united first. He recognizes the need for "billions of dollars each year"<sup>30</sup> and says the blacks have not the resources on their own. Specific examples of concrete action are proudly pointed to, in contrast to the first book, which talked vaguely of new institutions being necessary.

Hamilton is very definite in pointing out that violent revolution in America will fail and lead to harsh repression. If open calls to violence are used, the only result will be "immediate infiltration". However, the riots focused attention on black needs. The only points still emphasized to the same extent, are the building of a new racial pride, a sense of black community and the need for political unity. On every point, Hamilton has dropped the heady rhetoric of the earlier work and introduced practical considerations. Gone is the sneering rejection of the black middle-class as "the backbone of institutional racism",<sup>31</sup> and in its place,

a recognition that their expertise is indispensable to black unity and advancement. There is no mention of the need to fight back when attacked and it is emphasized that Black Power is not separatist or isolationist. Neither does he any longer insist that black organizations must be all black, only "wherever possible". This is the kind of Black Power that King advocated and would have supported had he lived, since all the aspects he regarded as negative have been dropped.

Perhaps as an attempt to preserve an independent and distinct ideological identity from the definition of Black Power being put forward by integrationists, S.N.C.C. was going in a different direction to that of Hamilton, and even C.O.R.E. Carmichael resorted to more and more extreme rhetoric in common with his successor to the chairmanship of S.N.C.C., H. Rap Brown. They became enmeshed in the violence of the riots and began to make statements such as:

"When you talk of Black Power, you talk of building a movement that will smash everything that Western Civilization has created".<sup>32</sup> and

"Until there is peace for Negroes, S.N.C.C. is against peace for anyone ... We're gonna tear the cities up ... We built this country and we'll burn it down."<sup>33</sup>

This extreme rhetoric may simply have been an attempt to appeal to the Northern ghetto Negro who had rejected the civil rights integrationist approach.

Only black nationalism had had any success in the North and in "The Trouble with Black Power", Lasch suggests

why nationalist sects, like the Nation of Islam, have never made much headway in the South and yet find the Northern ghetto "a fertile soil".<sup>34</sup> He says that a group cannot achieve equality, without first developing institutions which express and create a sense of its own distinctiveness. He claims that Southern Negroes developed their own subculture, based on the family unit and the church as the control institutions of their community. The Northern Negro, by contrast, fell between white American society and this Southern subculture, and failed to develop a comparable culture in the ghetto. In the South, the Negro church implanted an ethic of patience and suffering, which proved surprisingly conducive to effective political action. The civil rights movement addressed itself to legal, inequalities, and not to the need to acquire a culture. This "cultural vacuum" was filled for the Northern ghetto Negro, by the nationalist sects which spoke to the "wretchedness of the ghetto".<sup>34</sup> The Nation of Islam, with a harsh, uncompromising and authoritarian discipline, managed to organize ghetto blacks untouched by the ethic of non-violence, which presupposes an existing self-respect and sense of community.

The Nation of Islam, which was the main exponent of Black nationalism in the 1940's and 1950's, underwent a period of stagnation in the early 1960's after years of steady expansion. This was, in the opinion of Malcolm X, due to Muhammed's policy of noninvolvement in protest. Black Power produced a revival of black nationalism, but in a

different form. Black Power secularized the separatist idea, which was usually manifested in religious form. Advocates such as Stokely Carmichael abandoned the myth of Negroes as a chosen people<sup>(1)</sup>, and identified with the contemporary struggle against colonialism in the Third World. Where earlier nationalist movements wanted physical separation from America and reunion with Islam or with Africa, many followers of Black Power wanted to fight their "revolution" in America.

Much of the basis of Black Power comes directly from Garveyism. Like Black Power advocates, Garvey conceived of only two versions of the future; either the black man would receive his freedom, or race war would be inevitable. He avoided stating that his organization would instigate a revolutionary uprising, although he did often use inflammatory revolutionary rhetoric. He wanted to prepare blacks "for action"<sup>35</sup>, by fostering a belief in the moral integrity and reasonableness of black nationalist demands. Garvey's idea of emigration, often represented as a call for a mass exodus, only planned for relatively few (at most a hundred thousand)<sup>36</sup> blacks to "return" to help develop the Africa continent, and to strengthen ties between blacks in America and Africa. This was expanded by Black Power exponents, the "Republic of New Africa" group, which proposed a geographically separate nation.

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(1) In the Black Muslims they were thought to be the Asian Black nation of the tribe of Shabazz.

Garvey promoted black economic independence and demanded "Rights for Negro Peoples of the World"<sup>37</sup> including the right to vote, representation on juries and the judge's bench, and full freedom of press, speech and assembly for all. U.N.I.A.'s call for "all... churches, lodges, fraternal organizations civil and uplift bodies"<sup>38</sup> to join in annual conventions, was echoed by the Black Power conference in 1967.

This development of the Black Power idea, to include armed revolution against "colonialism", was an expansion from its original Garveyite roots to include influences such as Fanon and Guevara.<sup>(1)</sup> Carmichael made statements such as;

"Our enemy is white Western imperialist society; our struggle is to overthrow the system which freed itself and expanded itself through the economic, and cultural exploitation of non-white non-Western peoples"<sup>39</sup> and

"the only means to face oppression" is to "take up arms".<sup>40</sup>

H. Rap Brown claimed that "the stark reality remains that the power necessary to end racism, colonialism, capitalism and imperialism will only come through long, protracted, bloody, brutal and violent wars with our oppressors".<sup>41</sup>

These statements revealed the increasing identification of black militants as the revolutionary vanguard of Fanon's proposed violent social change. Fanon had written, in The Wretched of the Earth, that violent action was the

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(1) See, John Gerassi (ed): Venceremos. The Speeches and writings of Ernesto Che Guevara (1968, Weidenfield & Nicholson, London) and Frantz Fanon: The Wretched of the Earth, (1965, McGibbon & Kee, London).

"essential purifying element"<sup>42</sup> in the quest for independence, and many followers of Black Power had adopted his work as their revolutionary Bible.

This diversity of sources helped to produce contradictions in its usage. On the one hand, where Black Power derived from separatism, it advocated self-help in black cooperatives and self-discipline. On the other hand, spokesmen were promoting guerrilla warfare against American colonialism. These positions coexist, as in Carmichael and Hamilton's book, causing further confusion:

"Whatever the consequences, there is a growing ... body of black people determined to ... take care of business. They will not be stopped in their drive to achieve dignity to achieve their share of power ... by whatever means necessary".<sup>43</sup>

The book also leaves arguments underdeveloped or unclear. The authors mention, for instance, the parallel between the black situation and that of other ethnic groups. They observe that "studies in voting behaviour specifically, and political behaviour generally, have made it clear that politically, the American pot has not melted". They also recognize that "traditionally, each new ethnic group in this society has found the route to social and political viability through the organization of its own institutions".<sup>44</sup> This identification of the Negro as an ethnic group seems to differ from their earlier analysis of "colonialism" in America. "Black people in this country form a colony and it is not in the interest of the colonial people to liberate him".<sup>45</sup> Later in the text, the issue is further clouded by the statement



that "a coalition of poor blacks and poor whites ... is the only coalition which seems acceptable to us".<sup>46</sup> This raises further questions of whether the authors see the problem as a class issue, an ethnic issue, or a national or colonial issue.

After the failure of this book and the Black Power idea to produce politicization of the ghetto, Carmichael tended to further "substitute rhetoric for analysis, and defiant gestures for political action".<sup>47</sup> Black Power had begun as an effort to prevent race war. It claimed to "represent the last reasonable opportunity for this society to work out its racial problems, short of prolonged destructive guerrilla warfare".<sup>48</sup> It, for its advocates at least, was an effort to discipline the anger of the ghettos and to direct it toward racial action, working against the despair and resentment present in the ghetto. However, Black Power was not only an attack on this despair, but also a product of it. It taught blacks to stop hating their colour. In doing so, without making concrete proposals for action, it perhaps, just contributed to the nihilism in the ghetto by instead, teaching hate of whites. When Black Power leaders like Carmichael and Brown began to associate the term with racial violence, they were abdicating responsibility for their own movement by concealing an uncertainty of purpose with revolutionary rhetoric.

With the decline of Black Power as a rallying point, and the demise of the main groups advocating it, the standard

of black nationalism passed to small armed revolutionary groups such as the Black Panthers, R.A.M. (the Revolutionary Action Movement) and, more recently, the Black Liberation Army and the Republic of New Africa. The Black Panther Party, by calling for armed resistance to police brutality in the ghetto, attracted F.B.I. infiltration and police repression, in a concerted effort to discredit and destroy the organization.<sup>(1)</sup> This was very successful, and by 1970, at least thirty-eight Panthers were dead and all their leaders were in jail or facing indictment. After many of these charges were dropped the Panther leaders adopted a change of tactic. They gave up their revolutionary stance and moved toward community work and voter registration. Having seen both R.A.M. and the Panthers infiltrated and broken up by police, the Black Liberation Army and the Republic of New Africa went underground. They became small, paramilitary, revolutionary, extreme socialist groups, divorced from black activism, only surfacing occasionally in an attempt to steal funds in armed robberies.

Black Power as a slogan, and a movement, grew up for a number of reasons. It was a response to the frustrations that S.N.C.C. had endured over the Mississippi Democratic Freedom Party, the Lowndes Black Panther Party failure,

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(1) F.B.I. files released under the Freedom of Information Act have shown a policy, initiated by J. Edgar Hoover, designed to "cripple the Black Panthers". See Cathy Perkus (ed): Cointelpro. The F.B.I.'s Secret War on Political Freedom, (1975, Monda Press, New York).

and the lack of real progress being made by the traditional civil rights groups. The new concept of Black Power represented a search, by the younger and less patient elements of the movement, for new approaches to the struggle. S.N.C.C. wished to "nationalize" the issues they were fighting for, rather than keep them in the Southern area. The Northern ghetto was a vast untapped source of power, which could force radical political change, and which they needed to involve in their fight. This proposed change of tactics, however, was not simply the idea of S.N.C.C. It was a reflection of the growing disenchantment with the civil rights movement among large segments of the black population, as evidenced by the widespread urban violence, that by 1966 was changing the whole country's conception of black rights.

The concept of Black Power has remained confused. It encompassed different strands of Black nationalism and integrationist ideas. Traditions of cultural nationalism, whereby the cultural heritage of the Afro-American is asserted to promote unity, were incorporated. However, revolutionary black nationalism, which calls for armed revolution to rid society of capitalism and imperialism, based on a combination of black nationalism and Marxism/Leninism also began to be used in definitions of Black Power. These dualities of internal contradictions were to cause the splintering of the little unity the term brought about.

Black Power had a number of strengths and positive effects. It is widely accepted that as a psychological symbol

for harnessing the pride and imagination of Negro Americans, the slogan imparted a sense of urgency and occasion for younger blacks, that the more moderate programmes and leadership did not. It was very important in stimulating a group identity and racial pride, especially in the North, which had been left untouched by the unifying effects of civil rights victories. Apathy, typical among the poor and uneducated, had resulted in little mobilization for the goals of the movement, when it did attempt to move North. The impact of Black Power did stimulate some parts of the black community to agitate for more "community control" and economic unity, in the form of credit unions and buying clubs. Recognition of the need for new institutions to promote self reliance resulted in the creation of the Congressional Black Caucus in 1969. In sending a list of policy proposals to the President in March 1971, it characterized itself as a new type of leadership, articulating the desires of the black people they represented. The Caucus has not been able to fill the vacuum of leadership for blacks since their prime function is to concentrate on legislation, but it has become an effective and disciplined voting bloc for black interests. It also attempted to initiate another separate institution for blacks when it called a National Black Political Convention in 1972 which, despite internal difficulties, has under various names, continued to lobby for black interests.

The weaknesses in the concept, however, may be seen to outweigh the benefits and strengths. It involved

no specific programme of action and its goals were stated in such broad terms that they allowed room for considerable variation in interpretation and emphasis. The often conflicting body of thought that it drew upon proved to be highly divisive later on. Passionate commitment to distinct nationalist viewpoints became a formidable obstacle to united action, and instead, stimulated mistrust and hostility. This is illustrated in the breakup of the alliance between S.N.C.C. and the Black Panther Party, which one writer tells us nearly ended in a gun-battle between the factions.<sup>(1)</sup> When some leaders drew Black Power towards revolutionary nationalism in its later stages, it brought with it a disparate assortment of largely ill-fitting socialist and Marxist ideological fragments, which confused the issues still further. In Feaver's article, on the concept, it is suggested that Black Power, as a manifestation of the "New Left", shares with the white left, "a sense of powerlessness and despair for which the revolutionary rhetoric serves to compensate".<sup>49</sup> This agrees with Milton Morris' analysis when he says that there was a "tendency to encourage a peculiar over-indulgence in polemicism and programmatic fantasizing, when there were profound and perplexing problems which required pragmatic approaches to solution".<sup>50</sup> This is precisely the course that Carmichael and Brown took when they increasingly

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(1) Julius Lester: Revolutionary Notes (1969, Grove Press, New York, page 144).

attacked the government and the American power structure, without suggesting a viable alternative. This was avoided by Hamilton, when he advocated practical economic proposals, instead of Third World solutions involving Pan-Africanism.

The premise that the black population must "close ranks" before it can succeed in bargaining with white America may have had a certain psychological advantage to the black community, but it could not be maintained as the basis of a useful political strategy. As Martin Luther King put it:

"The Negro cannot entrust his destiny to a philosophy" based on "a slogan that cannot be implemented into a programme".<sup>51</sup>

Its lack of definition gave Black Power an availability for wide ranging use, that produced a large impact and allowed it to be employed as a tool to produce mass black political action. This proved overall, however, to be a weakness, since its vagueness precluded its use as an ideology, which must necessarily confer an identity on its adherents. Without a clear definition and programme the term was so widely used by different groups that it lost its potency as a mobilizing and unifying concept.

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## Chapter Six

### Civil Rights Legislation and the White Backlash

The "March on Washington" in 1963 had been a huge public relations victory for the civil rights movement. The largest gathering in American history<sup>1</sup> had created a very favourable impression with the public, demonstrating the commitment of large numbers of both black and white people to racial equality. This level of public sympathy for the Negro cause was maintained throughout 1964, by the enactment of the Civil Rights Act and by the shock of the murder of three civil rights workers in Mississippi. Support generally tended to increase with racial confrontation in the South, and decline when demonstrations and disturbances moved North. Pro-Negro sentiment probably reached its apogee with the Selma-Montgomery march, led by Martin Luther King, and the subsequent passing of the 1965 Voting Rights Act.

One week later, in August 1965, large-scale rioting erupted in Watts, a suburb of Los Angeles. Tensions had been building up for some time in the area: its ghetto population density was among the worst in the Nation, and employment was only slightly higher than the level during the Depression. These conditions of despair were ignored by the media, who instead drew the nation's attention to the immediate results; Thirty-four people dead, hundreds injured and widespread destruction. The riot shocked all those who had been confident that race relations were improving in the North, and "evoked a new mood

in the ghettos around the country".<sup>2</sup> It marked the beginning of a steady decline of white tolerance and goodwill.

Between Selma and Watts, President Johnson called for a White House Conference "to fulfil those rights"<sup>3</sup> of equal citizenship for all. The project grew rapidly and when the full conference met in June 1966, it had 2,400 delegates discussing a report by a 28 man council, including the "Big Five",<sup>(1)</sup> plus many influential business, labour, and political leaders. When the conference had been first proposed the Voting Rights Act was moving easily toward enactment, but by June 1966, when it met, the latest Civil Rights Bill was running into difficulties. A different mood had taken the country, and a change in national interests was evident. Much of white America was beginning to lose patience with the continuing demands of the civil rights movement and was turning its attention to other concerns. Between August 1965 and July 1966, the American commitment of troops in Vietnam had increased from 46,000 to 260,000<sup>4</sup> and its importance to the nation had grown considerably. The extent to which public sympathies had been reversed became evident with the treatment Martin Luther King received, when he began marches in all-white areas of Chicago in July 1966, calling for open housing. The level of violence these protests drew was unprecedented in the North, and it

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(1) A Collective term for the largest civil rights organizations; the N.A.A.C.P., C.O.R.E., S.N.C.C., S.C.L.C. and the National Urban League.

signalled a rejection by many whites of any further advances for the Negro.

In April 1966, the Johnson Administration introduced a comprehensive Bill, "to assure non-discrimination in federal and state jury selection and service, to facilitate the desegregation of public schools and other public facilities, to provide judicial relief against discriminatory housing practices, and to prescribe penalties for certain acts of violence and intimidation".<sup>5</sup> Its major purposes were to protect civil rights workers in the South, to end all white juries in communities of substantial Negro population and to fight residential segregation. De facto segregation was more prevalent in the North and West than in the South, where most of the other civil rights legislation had its impact. As Senator Sam Ervin (D., N.C.) said;

"For the first time we have a Bill that proposes that other than Southern oxen are to be gored".<sup>6</sup>

The Bill did not contain all that the civil rights leaders wanted; it omitted any provision for compensation for civil rights workers killed or injured, and for removal of certain cases from state to federal courts. But it prohibited threat or injury to "persons engaged in the exercise of their constitutional rights ... or in urging or aiding others, by speech or peaceful assembly, to exercise such rights".<sup>7</sup> Violators were to be punished by up to a \$10,000 fine and ten years in jail, or, in the case of murder by life imprisonment. It also contained strong provisions to assure selection of

juries without regard to race and also broadened the Attorney General's power to initiate litigation, to end remaining segregation in schools and public facilities.

When debate began in the House on July 25th 1966, Black Power was in the air and eight cities had been hit by rioting that year. Disorders continued during the Senate hearings in September, and many Congressmen, fearing white backlash, were conscious of the November elections looming closer. Senators were deluged with anti-legislation mail, often in the proportion of one hundred to one over favourable letters.<sup>8</sup> The House adopted a compromise amendment exempting owner occupied properties of four units or less, which cut the affected housing by an estimated 60%. This killed the effectiveness of the Bill, showing the lack of support there was, even in the House, normally the more sympathetic of the two chambers to liberal legislation, but also the more responsive to changes in public opinion. A provision relating to rioting was added to the Bill, making it a federal offence to cross state lines with intent to riot, or commit any act of violence during the riot. This amended Bill passed the House on August 9th and was introduced to the Senate two days later.

Debate in the Senate was postponed until after the Labour Day recess. Substantial opposition developed during this period, especially to the housing provisions. Opponents filibustered the Bill and in mid-September, passage was precluded when votes of cloture were defeated 52-42 and 52-41. That

session of the Senate also killed another Civil Rights Bill that had Administration and House approval. "An Equal Employment Opportunities Act of 1966" passed the House by over two hundred votes in April, giving the Commission on Equal Employment Opportunities much needed enforcement powers and strengthening the employment sections of the 1964 Act. However, the Senate declined to consider the measure.

The proposed Civil Rights Act of 1966 failed for several reasons. The political climate was not conducive to further civil rights legislation, especially with national elections imminent. White attitudes reflected the view that Negroes were advancing "too fast",<sup>(1)</sup> and they no longer saw the legislation as human rights denied. Many Northern whites were great supporters of civil rights when that meant letting Negroes eat in white restaurants in the South, but when it meant a black family moving in next door, they beat a hasty retreat. There was no "outraged conscience of a nation"<sup>9</sup> pushing Congress to action, as in 1965. Previous legislation had been pushed through, or at least helped, by a wave of sympathy or shame, caused by a major incident or racial confrontation. There was no Birmingham or Selma to help this Bill.

Other factors were also at work. S.N.C.C. was becoming an all-black organization and was calling for Black Power and

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(1) In 1966, a Louis Harris poll showed that 75% of whites thought that blacks were moving too fast. The corresponding figure in 1964 was 50%. <sup>10</sup>

C.O.R.E. was turning down the same path while fighting desegregation in a lone battle in Maryland. Martin Luther King was based in Chicago, where marchers were out-numbered by the police escorts protecting them. None of these actions stimulated the reaction needed, nor did the legislation lend itself to public sympathy. Most whites were happy to let it die. Muse suggests that the jury system and school segregation powers would probably have been enacted in a separate Bill, but as a package, there was little hope.<sup>11</sup> The one remaining factor that might have helped it pass, was effective leadership from President Johnson. It was mainly due to his efforts that cloture had been successful, thus ensuring the passage of the 1964 and 1965 Acts. However, Johnson was too busy with the quickly escalating Vietman War to provide the necessary leadership in 1966.

The mood of the country that had helped anti-civil rights forces in the Senate kill the Civil Rights Bill, showed itself at the November elections. Looking at the results of Democratic primaries in which moderate candidates for Governor in Georgia, Maryland and Arkansas were defeated by overt racists, the Washington Post said; "An ominous and dangerous reaction has gripped this country".<sup>12</sup> The November election results reflected a hardening of white attitudes toward the Negro and a loss of interest or a growing opposition to the civil rights movement. The victories of Lurleen Wallace in Alabama, on a pledge of "Let George Do It",<sup>13</sup> and of the

violently segregationist, Lester Maddox<sup>(1)</sup> in Georgia, were a jarring reminder that racial prejudice was still deeply entrenched.

The setbacks for the Democratic Party and for liberal racial policy were not restricted to the South. In California, liberal governor Pat Brown was deserted by the voters and Ronald Reagan, a rising new figure in the Republican Party, was elected by nearly a million votes. Over all, the Republicans gained forty-seven seats in the House and three in the Senate. Surveys showed that, in the House, thirty to thirty-five identifiable liberals had been replaced by conservatives, making the prospects for civil rights legislation even bleaker. These results suggest more than the traditional off-year swing to the opposition party, but rather a broader swing signifying that the country had grown tired of innovation and reform.<sup>(2)</sup>

Despite these losses, some gains were made. The effect of the Voting Rights Act and the real impact on the South of the Negro vote for the first time, lead to a marked advance toward integration. Negro voter registration had risen by half a million since the last election, leaving about half of the eligible Negroes registered compared to 70% of whites.<sup>(3)</sup>

(1) Maddox had fought desegregation of his restaurant by handing out axe handles to white customers to use on any Negroes who dared to enter.

(2) For further analysis see, Benjamin Muse: The American Negro Revolution. From Non-violence to Black Power 1963-67 (1968, Indiana University Press, Bloomington, Ind); pages 263-67.

(3) The figures in 1981 were about 57% of blacks in the South registered as compared with 67% of whites.<sup>14</sup>



A notable triumph over racial bias was the election of Republican Edward Brooke as Senator from Massachusetts, with 61% of the vote in a state where Negroes were less than 3% of the total population. It was all the more unusual since the Republicans were the minority party. In the nation, 154 Negroes were elected to 27 states legislatures representing a gain of 50% over the low base of 1964.

The diminution of white sympathy for the Negro cause was illustrated in a report on "Violent Aspects of Protest and Confrontation to the National Commission on the Causes and Prevention of Violence", (known as the "Solnick Report") in which the authors point out the growth of white militancy in this period. One indication of this was the evidence showing a sizable segment of the urban population was willing to use violence against black disorder. A Harris poll in September 1967 indicated that 55% of white gun owners said they would use their gun to shoot people in the case of a riot. A second poll in March 1968 found 51% answering the same question affirmatively. Linking these responses to actual behaviour, the report states that in Los Angeles, 5% of whites, sampled as to their willingness to use guns, actually bought firearms during the riots in their city, and it gives figures in other cities where gun registration doubled after riots. It is acknowledged, however, that the violent white militant, with the notable exception of the South, was in a minority, operating beyond the law, no longer enjoying encouragement or assistance of official bodies.

In a study prepared for the Kerner Commission<sup>(1)</sup> whites were asked whether, in the case of a Negro riot in their city, they should "do some rioting against them",<sup>15</sup> or leave the matter to the authorities, 8% of white males advocated counter-rioting. Again, to link this with actual behaviour, it points to the number of "riot-related" arrests of whites in 1967 after riots in Detroit, New Haven, Plainfield, Dayton and Cincinnati.

The area the Solnick Report identifies as being of the most immediate importance is growing militancy among policemen. In a study done under a grant from the Justice Department and submitted to the President's Committee on Law Enforcement in 1966, "overwhelming evidence of widespread virulent prejudice by police against Negroes" was found. Based on field observations of officers in the summer of 1966 in Boston, Chicago and Washington D.C., it was found that 72% of the policemen were "considerably or extremely prejudiced against black Americans".<sup>16</sup> The incidence of police militancy carried into action is seen in "the growing number of police attacks on blacks entirely unrelated to any legitimate police work".<sup>17</sup> The report details many of these in New York, Detroit and San Francisco and says they are not isolated incidents.

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(1) The "Report of the National Advisory Commission on Civil Disorders" was referred to extensively in Lord Scarman's report on the Brixton riots of 1981.

Perhaps more worrying were its findings related to the Cleveland shoot-out between black militants and police in July 1967, in which eleven people died. The Commission found that after the shoot-out police opposition to the Negro mayor, Carl Stokes, and his administration, moved toward "open revolt". When police were withdrawn from ghetto duty for one night to allow black community leaders to quell the rioting, police reportedly refused to answer calls and sent racist abuse and obscenities against the mayor over their radios. Officers in one district refused to travel in racially mixed squads into black areas. For several weeks after the riot, posters with the mayor's picture and the words, "Wanted For Murder", hung in district police stations. "Similar revolts against higher police and civil authority"<sup>18</sup> had occurred elsewhere.

The report concludes that the police are "overworked undertrained, underpaid and undereducated" and "that police view ... blacks as a danger to our political system and racial prejudice pervades police attitudes and action".<sup>19</sup> This attitude is hardly surprising when one considers the statement of J. Edgar Hoover in testimony before the commission in September 1968;

"Communists are in the forefront of civil rights ... demonstrations, many of which ultimately become disorderly and erupt into violence".<sup>20</sup>

The conclusion was reached that the minority of whites who radically oppose the aspirations of the black community, is a matter of considerable concern, and their organization into militant groups, poses at least as much threat to public order and safety, as the activities of militant blacks. One such group is the Mississippi White Knights of the Ku Klux Klan, which is identified with much of the violence against civil rights workers in Mississippi. Apart from the much publicized triple murder in 1964 of civil rights workers, the White Knights also killed the head of the Hattiesburg N.A.A.C.P. in 1966 and the head of the Natchez chapter in 1967. They are also suspected of burning seventy-five churches<sup>21</sup>. The White Knights stress that the major source of their effectiveness is favourable public opinion. "As long as they are on our side, we can do just about anything to our enemies with impunity".<sup>22</sup> From October 1965 to October 1966, it is estimated that Klan strength rose by 25% to 51,000. Other groups also experienced a boost during this period. The "Führer" of the American Nazi Party was mobbed by admirers when he visited Chicago during King's open-housing campaign. His philosophy was summed up in his book "White Power", when he said;

"Negroes ... are a semi-wild form of half-human animal, unable to build or maintain a civilization, but capable, in vast numbers of utterly and completely destroying all civilization".<sup>23</sup>

Despite the failure of the 1966 Bill and the mood of the country, another civil rights package was introduced to Congress in 1967. Acting on various measures separately, the

House shelved the open housing provisions, but passed one measure designed to protect civil rights workers. When this was introduced to the Senate in February 1968, an open housing amendment, sponsored by Edward Brooke (R., Mass.) (the only Negro Senator) and Walter Mondale (D., Minn.) was attached to the House passed measure. Following a narrowly defeated attempt to invoke cloture, a compromise was reached with Senate Minority Leader Dirksen. This weakened the Bill by exempting from coverage single family homes, sold without the aid of a real estate broker, and by weakening the Department of Housing and Urban Development's (H.U.D.) enforcement powers. Finally, after major anti-riot amendments, sponsored by Strom Thurmond (R., S.C.), were added, the Bill passed (71-20) on 11th March 1968.

Commentators were convinced that the House would reject the bill,<sup>24</sup> for much the same reasons as the 1966 Act had failed. The House was much more conservative since the Democrats lost forty-seven seats in 1966, and Johnson, pre-occupied with Vietnam and the Presidential election<sup>(1)</sup>, was not providing the executive leadership characteristic of the 1963-65 period. However, just before the House vote on whether or not to send the Bill to conference, Martin Luther King was assassinated. The riots which followed, continued as

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(1) Within two weeks of the Bill going to the House, he announced he would not run for a second full term.

a background to debate, until the House enacted the legislation (by a vote of 229 to 195) on 10th April 1968.

The Act extended to all property, except those multiple rentals which were owner occupied and where the number of units to rent did not exceed four, and owner occupied housing sold privately, without a real estate agent. The former exception was to protect the person who wanted to rent out a few rooms in their house, and the latter allowed an owner occupier to sell privately to a friend or neighbour of the same race. This left the Act covering about 80% of U.S. housing stock. Responsibility for administration was given to H.U.D., but while it was to set up a complaint procedure, it was not given powers to initiate complaints or issue injunctions. The agency could subpoena witnesses and could attempt to resolve complaints by "conciliation, conference and persuasion".<sup>25</sup> In addition, private persons could file cases in district courts and when a "pattern or practice of discrimination"<sup>25</sup> existed, the Attorney General could file suits. In both instances the courts could issue temporary injunctions and restraining orders to freeze the sale or rental of property during litigation. In the case of private action, unspecified amounts of actual damages plus up to \$1000 punitive damages plus costs, could be awarded to plaintiffs. Court orders, which could transfer the disputed property to the plaintiff, were also sanctioned.

In the three areas of enforcement; H.U.D.'s complaint procedure, private litigation and enforcement by the Attorney General, the focus was on providing remedies in individual

instances of discrimination. Most of the Act avoided the dilemma of defining what federal policy should be toward the integration of federal housing programmes. The Act was also very weak in enforcement provisions and this drew some criticism. Parallel with legislative action came judicial activity. Two months after the Act was passed the Supreme Court, in Jones vs Meyer<sup>(1)</sup> resurrected the 1866 Civil Rights Act which, by declaring that "all citizens of the United States shall have the same right, in every State and Territory, as is enjoyed by white citizens thereof to inherit, lease, sell, hold and convey, real and personal property",<sup>26</sup> extended coverage to all housing. This case was important in reinforcing the main message of the Act, that the federal government had responsibility for extending equal housing opportunities to all citizens. However, it remained purely supportive, rather than playing a direct role, since it contained no specific enforcement provisions.

The Civil Rights Laws of the 1960's were heralded by some white liberals and blacks as a breakthrough in race relations. They represented what seemed at the time to be the culmination of the long struggle for racial equality in the United States. In particular the 1964 Civil Rights Act and the 1965 Voting Rights Act promised not only the guarantee of legal equality for racial minorities, but also "affirmative

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(1) 392 U.S. 409 (1968).

action" by governments to eliminate broad practices or patterns of discrimination. The crisis in Birmingham was the catalyst that ultimately moved an otherwise immobile political system to meaningful action. This lesson was not lost on the civil rights leaders. The crisis in Selma profoundly influenced the passing of the Voting Rights Act five months later. For decades blacks had gone to court fighting the evasive tactics of the Southern States, in an effort to enforce the 15th Amendment, granting protection against denials of the vote based on race. It laid the foundation of momentous changes in voter registration, voting and the election of blacks to office, especially in the South. However, protracted struggles sometimes heighten expectations to unrealistic proportions, increasing the potential for cynicism and alienation, when expectations are not met. The struggle merely to gain the vote led some to overemphasize its potential usefulness. The problem was exacerbated by the tendency of some civil rights workers to focus on the possession, rather than the exercise of the vote.

From 1966, as more Northern cities exploded in violence, it became obvious that the racial minorities had not progressed to the state of equality with whites that the law seemed to have promised. Disillusionment in both the minority community and among white commentators, spread rapidly so that by 1968, when the last of the Civil Rights Laws outlawing racial discrimination in housing was passed, the Kerner Commission had reported;



"Our nation is moving toward two societies, one black, one white - separate and unequal". 21 (1)

The 1968 Act, along with previous legislation, soon fell into disrepute. By the early 1970's, it was not uncommon for basic texts on American government to talk about the "symbolic" role played by civil rights laws, or to claim that they were designed to placate an increasingly vocal black community with token gestures of legal equality.<sup>28</sup> This argument grew increasingly hard to counter as the position of the Negro in American society was seen, by many, to be almost unaltered under the weight of this legislation. The strength of the "white backlash" and its national character can be seen in the Presidential campaigns of George Wallace.

Wallace was first elected in 1962 as Governor of Alabama and, in his now infamous inaugural speech, proclaimed; "Segregation now, segregation tomorrow, segregation forever".<sup>29</sup> Prohibited in 1966 from succeeding himself, he persuaded his wife to run on a pledge of continue his leadership. Wallace's attempts to win the Presidency seemingly had a profound effect on American politics. Carlson (2) details a convincing case for Wallace's own claim that he pushed, not only Nixon, but every other candidate to the right. In an early attempt to attract Southern voters Lyndon Johnson sent Vice-President Humphrey, in May 1967, to visit the governor of Georgia, Lester Maddox. Humphrey posed arm-in-arm with Maddox and

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(1) Paraphrasing the words of the 1896 Plessy vs Ferguson decision (163 US 537).

(2) In her book "George C. Wallace and the Politics of Powerlessness, The Wallace Campaigns for the Presidency 1964-76", (1981, New Brunswick, New Jersey, Transaction Books).

assured all that there was plenty of room in the Democratic party for a great variety of views, including Maddox's segregationist views.

When Johnson withdrew, and Nixon and Humphrey became the major party candidates, Wallace set up his American Independence Party and stood as a third party candidate. This caught Nixon and Humphrey in a dilemma; each candidate needed the Wallace vote to win, but neither wanted to appeal directly to the basis of that vote; racial hatred. Each accused the other of trying to get the Wallace vote, while pursuing it himself.<sup>30</sup> Nixon's attempt was more obvious in his courting of the South, while Humphrey, needing to protect his black vote, was more circumspect. Nixon named "conservative, unreconstructed, neo-confederate",<sup>31</sup> Strom Thurmond, as an advisor and appeared to consult with him on many positions. The 1968 election was, in the end, very close. Nixon won by a very narrow margin and Wallace came close to denying victory to either candidate. He received 13.3% of the vote (over 9,290,000 votes) and carried five states. Wallace claimed he had achieved his aim of forcing Nixon to the right.

Between 1968 and 1972 Wallace's consuming concern was the federally ordered desegregation of public schools. In September 1969, he urged parents to ignore court orders on school assignments, and to enter their children in the schools of their choice. Desegregation, however, went ahead. Wallace ran for governor in 1970 in a very dirty campaign, during which doctored photos of his opponent appearing with

prominent blacks were published. Wallace, by contrast, was endorsed by Robert Shelton the Imperial Wizard of the Ku Klux Klan and by the White Citizens Council. Out of state forces were also at work. Watergate disclosures revealed Nixon put \$400,000 in the campaign of Wallace's opponent.<sup>32</sup> Nixon, in an attempt to head off Wallace's campaign, reaffirmed his commitment to neighbourhood schools and came out against forced busing. With Wallace's victory in the gubernatorial election, however, Nixon evidently decided he could not outdo Wallace on his own ground and had his aides promise more integration for the South that autumn than in any previous year.

Between the primary and the general elections, Wallace had once again tried to urge parents to defy federal court orders assigning their children to desegregated schools. As before, there were no incidents. Wallace knew he had been unable to get whites stirred up enough to defy the federal government on anything except busing. He also recognized the growth in importance in the black vote with blacks now accounting for 20% of Alabama voters. Accordingly, in his 1972 campaign, he dropped his overt racial stance. Maintaining a racial slant he announced he would not permit any additional busing and ordered school boards to disregard busing orders. He later got the Alabama legislature to pass a law allowing parents to disregard busing plans if they wished, and persuaded the Senate to withhold state funds allocated for it. Wallace threw himself behind this cause with his usual fervour calling busing, "the most atrocious, callous, cruel, assinine

thing you can do for little children".<sup>33</sup> Three days after Wallace won the Florida primary, Nixon called for a halt to forced busing. Humphrey praised Nixon's decision, but when his advisors strongly objected, changed his position the next day.

On May 15th 1972, Wallace was shot while campaigning in Maryland. At the time he was the leading Democratic contender in the popular vote tally. He got 1.5 million more votes than any other Democrat in the first fourteen primaries, five of which he won, and five he was second in. He was, however, out of the race. He ran again briefly in 1976, but paralysed and deprived of his racist issue and forced to court the black vote, he began to insist he had never been a racist. Despite being elected to a third gubernatorial term, his Presidential campaign faltered badly and the Southern vote was mostly usurped by the more moderate Jimmy Carter. Although written off by some commentators,<sup>(1)</sup> a "new" Wallace made an impressive political comeback to become governor for the "fourth" time on November 2nd 1982, in the face of the opposition of black leaders. One in three blacks still preferred him to a Republican and he was elected on a pledge to be a "Govenor of all the people".<sup>35</sup>

Wallace was unique in American politics in several ways. A Southern politician and a national figure, he gave dramatic

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(1) "Gossip had it that he would run for Governor in 1982, but no one seemed particularly interested ... 'a setting sun gives off no heat'." (34)

expression to the grievances and discontent of not only Alabama whites, but all whites who felt the same way. As such, he reflected many people's feelings about blacks; in 1968 when the riots were at their height and race relations at their nadir, he was at the zenith of his power. When public feeling no longer demanded that reaction be epitomized, he moderated his stance. By 1976, this moderation had reached the point where he no longer had a platform and was forced to withdraw from the race. Despite this, he had a great influence on national civil rights policy, and he could be regarded, in this period as a touchstone of racial politics. His withdrawal in 1976 probably helped the Carter campaign and Wallace's contention that he "reshaped American politics and made possible the election of a fellow Southerner as President",<sup>36</sup> is not completely without foundation.

Partly, as a result of the influence of Wallace, President Nixon did much to set back the cause of civil rights. He compelled the outspoken Chairman of the Commission on Civil Rights to resign, and his administration enforced civil rights statutes with so little resolution that the commission rebuked it three times in the same year. In 1969, Nixon even opposed the extension of the Voting Rights Act in its original form. The legal director of the N.A.A.C.P. charged that he had "consigned Negroes to a political doghouse whose roof leaks".<sup>37</sup> In the summer of 1969, the Department of Justice stunned civil rights groups by asking a federal court to postpone the desegregation of Mississippi's schools. The N.A.A.C.P.'s

legal branch showed how much the White House had been transformed, when it asked that the United States be switched from plaintiff to defendant in the action, because the national government was no longer championing the rights of black children. The Supreme Court ruled that desegregation must take place at once".<sup>38</sup> The Administration's policy was clarified for all when a White House memorandum addressed to Nixon by his domestic advisor, Patrick Moynihan, was leaked. It proposed that "the time may have come when the issue of race could benefit from a period of 'benign neglect'".<sup>39</sup>

Paradoxically, some of the greatest gains for blacks, especially in school desegregation, came under Nixon. In 1968, despite the good will of the Kennedy and Johnson administration, 68% of black students went to all black schools. In 1970, the figure had dropped to 18% due mainly to policies instituted under Johnson, and also because of independent action by the federal courts. However, it also owed a lot to the initiative of the federal government under Nixon. Much of this activity was due, not to Nixon's enterprise or leadership, but rather, as Leuchtenburg says, "from momentum developed by the federal bureaucracy, a momentum which no President could easily halt".<sup>40</sup> While this may be an oversimplification, it is true that Nixon was very right-wing especially in the field of civil rights. John Ehrlichman claims in his recent autobiography<sup>(1)</sup> that Nixon's policies

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(1) John Ehrlichman: Witness to Power (1981, Simon and Schuster, New York).

were often designed to appeal to racists; "That subliminal appeal to the antiblack voter was always in Nixon's statements and speeches on busing and housing". More specifically he alleges;

"Nixon said he believed America's blacks ...were genetically inferior to whites." Although, "We should still do what we could for them, within reasonable limits, because it was right to do so."<sup>41</sup>

If the policies and platforms of Wallace and Nixon were a reflection of a much-vaunted white backlash, what were the factors which first produced, and then limited it? Even though the gains being made seemed, to many Negroes, only token, to the working-class white, it seemed his job, his neighbourhood, his government and his children's education were all being encroached upon, and even taken over by blacks. In the five year period, 1966-71, the non-white rate of entry into the white collar occupations was 127%, while the increase for whites was 14%. In that short span, the ratio of non-whites to whites in these more visible, higher status, higher paying occupations, jumped from 29% to 58%.<sup>42</sup> The median income of non-white families moved from 1/2 to 2/3 that of white families. Also, the number of blacks in state or federal legislatures jumped from less than 50 to over 200, and there was a corresponding increase in blacks elected to city and county offices, including the mayoralties of several major cities.

These figures looked very different to both sides of the racial divide. To the black activist they were proof that not enough was being done to promote the long overdue,

and much promised, equality between black and white, and showed, despite all his sacrifices and hard work, he was still only earning, on average, 2/3 of a white man's pay. To the white man, brought up in a white dominated society both occupationally (and, therefore, economically) and politically, he could see this dominance slipping away very rapidly.

Other status patterns of his previous lifestyle were also disappearing. There was no longer any comfortable way to keep blacks residentially "in their place". Federal and state laws by the end of the 1960's prohibited discrimination in all places of public accommodation and in most housing. Southern schools had given up the fight against de jure desegregation and Northern schools were being flooded by court orders to take extraordinary measures to correct de facto segregation. At the beginning of the 1960's, about 2/3 of all black students were attending exclusively or predominantly black colleges. By the end of the decade 2/3 of them were attending mixed colleges. The number of black students in colleges also doubled in the period.<sup>43</sup> With such a dent to any sense of dominance and the possible creation instead, of a sense of impending displacement, the question is not why was there a backlash, but why was there such a limited backlash?

As previously suggested, the extent of the support that George Wallace received is a rough, but useful indication of the strength of this backlash. While about one quarter



of white Americans identified with him and his views, many of these people would not actually vote for him. Asked why in a 1976 poll, many respondents said they were afraid of his "extremism".<sup>44</sup> The major parties were successful in absorbing the extremist impulses of the backlash, illustrating their strength as coalition parties; for example, the victory of Jimmy Carter with the support of both militant blacks and Wallace's supporters. Part of Nixon's overwhelming victory in 1972 against McGovern can be explained by his perceived resistance to civil rights advances. The reaction against these had been further stimulated by racial quotes, an outgrowth of affirmative action, which were unpopular and created feelings of displacement among whites. Thus, Nixon was able to oppose these, absorbing the backlash sentiment, without generally being branded as an extremist.

Finally, although blacks were perceived to be gaining on the white position in society, producing this backlash sentiment, the intensity of the response was limited by objective factors. The increase in real income for whites between 1947-70 was only 2/3 of that of blacks, but it still was a healthy 86%, and during the height of black advancement, white unemployment dropped with that of blacks. The inflation and recession of the early 1970's also did not significantly harm the large majority of Americans. While the real income of white Americans did not increase from 1970-75, neither did that of black families, and in neither case did it significantly decrease.

The white backlash therefore, could probably, be better described as a reaction to advances, and as representing a turning of the nation's attention to new, more pressing problems. It signified a halt to special consideration of Negro problems, rather than a reversal of previous achievements. White reaction was exacerbated by each successive outbreak of rioting, which itself was an expression of frustration caused by the lack of further progress towards equality. As increasing repression of civil disorder occurred, rioting came to be seen as counterproductive. The frustrations which had caused it, however, remained to a large extent, untouched.

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## Conclusion

A variety of themes have emerged in this thesis which can be usefully extracted and set apart from the historical narrative. Amongst the most important are the reasons why black protest began in Montgomery, Ala., in 1955, why and how it progressed and later how it faded from public view. The response of American institutions to the largest civil movement of the century, is central to an understanding of the blacks struggle for equality, and its examination will show how different events triggered different reactions from all branches of government. However, the popular understanding of the civil rights movement is flawed by the prevalence of myths and legends about the movement and its leaders, and the exposure of these will help illustrate the problems still faced by the American Negro.

The 1954 Supreme Court decision in Brown vs Board of Education of Topeka, Kansas, undermined the whole legal superstructure for the idea of racial separation. This had a catalytic effect on many blacks throughout the country, by demonstrating the possibilities of success against the segregation system. This first decisive victory in the courts encouraged the N.A.A.C.P. to redouble its efforts and begin further litigation.

Montgomery Ala., became the bridgehead of the civil rights campaign for a number of reasons. As a typical southern city, it had the necessary background of humiliation and

oppression of blacks to allow such a protest to start and grow. The large black population were bound together both by their low position in society, and by the church. Ministers, even young and inexperienced ones, as Martin Luther King, Jr. was in 1955, were highly respected and held great influence over these poor and largely uneducated blacks. It is doubtful that the Montgomery protest would have emerged as it did without the dynamic, young orator, King, as its focal point. Deprived of the inspiration of his speeches and actions, the Montgomery boycott might well have foundered in the face of white opposition.

The use of a boycott was an inspired tactical choice. This method gave the ordinary Negroes a sense of involvement, importance, contribution and unity that had been lacking in the purely legalistic approach. The choice of the buses as the target of the campaign, rather than other forms of discrimination, also contributed to their success. The bus company was the main means of transport for Negroes, and they comprised seventy per cent of its passengers. The segregation of the buses was probably the most visible, and frequent source of discrimination against the Negro, and so the boycott commanded wide support from the black community.

Once started, the boycott was fueled by the interest of the media, and King quickly became aware of the importance of publicity. From the beginning of the campaign when, in condemning it, a white newspaper inadvertently gave

publicity to the boycott, to the climax of the protest, when "Time" magazine put King on its cover, the media played a large part in the Negro success. King realized how far news of the Montgomery protest had spread when he received great acclaim on his trip to India.

The media became increasingly important to King and his use of non-violence until by the time of his Birmingham, Ala., campaign in 1963, it was an essential part of his strategy. King's objective had, by that time, changed from encouraging reconciliation in the community to building creative tension. By causing this tension between the marchers and the local authorities and filling the jails, King challenged the social mores of the Southern whites to the point where many of them reacted violently. King could then, by ensuring media coverage of black submission to this violence, provoke national, and even world, opinion to demand the basic social changes which he sought. This tactic was rendered ineffective in later years by the increasing unwillingness of young blacks to subject themselves to this violent white reaction, in order to gain what were seen by many as only token victories.

The power of the media was only one reason why the Negro protest flourished in the 1960's. 1960 was the dawn of a new decade; a new beginning. This was symbolized by the election of a young Democratic President, whose inaugural speech in January 1961 had looked to the future with new hope and new



idealism.<sup>(1)</sup> The black vote had played a major part in his election and many Negroes looked to the new administration for leadership in the field of civil rights.

The social and economic climate of the country almost certainly influenced the Negro protest. The economy was expanding, and the standard of living rising; America was the land of opportunity. The Negro, in contrast, was "smothering in airtight case of poverty in the midst of an affluent society".<sup>1</sup> King told us the Negro was tired of being "on a lonely island of poverty in the midst of a vast ocean of material prosperity".<sup>2</sup> In the North, the Negro was trapped in the ghetto by his poverty, and in the South the segregation system kept him still tied to the plantation<sup>(2)</sup>, or to the most menial jobs in society.

The North-South divide was also evident in other spheres. The geographical separation of Negroes was reinforced by ideological, sociological and temperamental differences. Many Southern Negroes still worked on the land and were deeply religious. In the North, by contrast, nearly all blacks were city dwellers, held in ghettos not by segregationist laws, but by economic deprivation. Lacking any strong ties to the church, the Christian call to non-violence was largely

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(1) "The torch has been passed to a new generation of Americans ...unwilling to witness or permit the slow undoing of those human rights to which this nation has always been committed and to which we are committed today at home and around the world".<sup>3</sup>

(2) On one plantation blacks had never seen U.S. currency; they used octagonal tin coins handed out by the white owners and shopped at the plantation store as slaves had done.

scorned by Northern blacks, many of whom were instead attracted by more militant ideologies and the transitory appeal of rioting.

Protest by Negroes for equal treatment under the law was an idea whose time had come. A spontaneous mix of world events, such as the gaining of independence in African countries, national events like the election of President Kennedy, and local events during King's first successful campaign, all combined to act as catalysts to Negro aspirations. This volatile mixture exploded into a burst of frenzied activity and began a decade of change and innovation. An enormous amount was accomplished in a very short time. From the early, simple demands in 1955, of courteous manners, and a fairer system of seating on the buses, within ten years they had won an end to public segregation, and the vote. A new mentality emerged in many Negro communities replacing the old, submissive "Uncle Tom" attitude with a new racial pride, epitomized by the expression "Black is Beautiful".

Without careful examination, it might be easy to see the civil rights movement as a uniform, united association. In the introduction I explained why the different groups can be accurately described as a movement and in the main text many of its characteristics are detailed. However, it must be noted that the movement was neither national nor monolithic. Before the "Brown" decision, most of the pressure for better conditions for the Negro had come from the North. When black non-violent protest began, its focus was in the South and

although this later shifted, there continued to be a strong Southern base. There was never one central organization, and so there was no overall discipline or direction. This inhibited an ideological and tactical consistency and even the leaders of the various factions were often confused as to the next best step. The movement was always a dynamic evolving entity, with its activity characterized by an ebb and flow, rather than a constant surge.

The idea that King was the unquestioned leader throughout the period is illusory. There were often profound divisions over tactics, goals, timing, racial co-operation and leadership. This led to a multiplicity of goals which for a long time were limited in the South and irrelevant in the North. However, despite this disharmony and confusion, and the heterogeneous nature of the movement, it made great advances until the end of the 1960's. Why then did the movement falter and fail to progress in the 1970's? Perhaps the most important factor was the disenchantment of American society. Many blacks became disillusioned with the gains that had been made. Carried along by the religious fervour of the protest, expectations had risen unrealistically high. Leaders began to fall foul of their own verbosity and believe the vote would be a panacea to all ills. King said:

"If Negroes could vote ... there would be no oppressive poverty directed against Negroes, our children would not be crippled by segregated schools, and the whole community might live together in harmony." 4

He was not alone in his over optimism. Malcolm X said;

"If the Negro ... were given ... [the vote].. the added power of the Negro in this country would sweep all of the racists and segregationists out of office. It would change the entire political structure of the country. It would wipe out the segregationism that now controls America's foreign ... and domestic policy." 5

When people realized that after winning the vote schools were still segregated, black unemployment was higher, and black wages were lower than those of the white man, and that the black was in many ways a second-class citizen, many gave up and left the struggle.

Many whites were also losing patience. After the Watts riot, a large number recoiled in revulsion, a reaction which became increasingly common with each subsequent "long, hot summer". Many whites denounced the urban violence, citing it as the response of an ungrateful Negro community for all that had been done for them. When the demands of black protesters began to involve the previously largely unaffected North, whites retreated further from the new, more complicated issues of busing and positive discrimination, claiming that Negroes were moving too fast.

The civil rights organizations, had used the overreaction of local Southern authorities in the creation of national opinion, favourable to their cause. The shock value, in the North, of seeing a Southern policeman viciously beat a non-violent black demonstrator was greater than if the assailant was in the uniform of the Ku Klux Klan. However, when King

moved his campaign North, many whites were so outraged that the marchers needed, and received, police protection. The issues were, by then, less clear cut and no longer commanded large white support in the North, leaving King with no disinterested spectator group to whom he could appeal.

Attention was further diverted from Negro problems by the Vietnam War. When the Voting Rights Act was passed there were no combat troops in Vietnam. By 1968, the military solution, which had committed 485,000 American soldiers and \$20 Bn. a year<sup>6</sup> to the war, was faltering under the weight of the Tet Offensive. This not only drew students to anti-war protest, thus weakening bodies like S.N.C.C. and C.O.R.E. who depended on their support, but also distracted Congress and the President. The civil rights movement became another war casualty, as money was diverted to arms from the anti-poverty programme, and President Johnson was alienated by King's anti-war stance.

By the end of 1968, the leaders who had been so important to the movement were all but gone. President Kennedy, Robert Kennedy, Medgar Evers, Malcolm X and Martin Luther King had all been assassinated, and the less popular, radical leaders were rapidly being imprisoned, killed, or had gone into exile. The remaining figures of Abernathy, Jackson, Wilkins and Jordan<sup>(1)</sup> had neither the stature nor the insight to keep the different factions united, or to formulate a new strategy to succeed the

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(1) Abernathy of S.C.L.C., Wilkins of the N.A.A.C.P., Jordan of the Urban League (took over 1971) and Jesse Jackson, who became independent leader of Operation Breadbasket and later his own organization.

now defunct non-violent marches leading to legislative action. Internal disputes between the groups allowed the more militant, small groups to gain a prominence far beyond that justified by their numbers. The result was that the 1960's ended with the black movement fragmented, leaderless and lost. The end of the idealism of the decade and the start of a new one, in which a series of Republican administrations was broken only by that of a Southern Democrat, symbolized the inability of Negro groups to find anyone who cared about the remaining problems facing them.

The responsiveness of the American political system was severely tested by the demands of the massive unrest the movement produced. The Supreme Court, noting Presidential indifference, and Congressional inability to respond because of its procedure and composition, had acted ahead of public opinion with the Brown decision. This heralded a period of crisis management, rather than innovation, or constructive leadership. President Eisenhower was forced to intervene with federal troops, not to secure the rights and freedoms of American Negroes, but to uphold his constitutional position and maintain Presidential authority. Congress attempted to grasp the nettle of race relations with first, the 1957, and then the 1960 Civil Rights Acts, but failed to produce legislation that had any lasting effect. Negro rights were once again compromised for political expediency. Consequently, judicial enforcement remained the sole hope for advancement

for some time.

The election of President Kennedy resulted in action, for the first time, by the Justice Department. However, due to Kennedy's precarious political position, it was only with the breakdown of law and order in the South that he was able to produce effective leadership. Ironically it was his assassination, and the subsequent wave of sympathy, that helped the black cause by pushing legislation through Congress. There began a short era of primacy in national affairs for the Negro, during which the 1964 and 1965 Acts were passed and the antipoverty programme begun. The momentum, however, could not be maintained and when other national problems overtook it, the Negro problem was once more treated with benign neglect. King's assassination was followed by the enactment of the 1968 Civil Rights Act, which was interpreted by some as an attempt to pacify the black community.

The response of government to the widespread cry for equality and justice was, therefore, not swift and decisive but rather sporadic. Both the executive and legislative branches of government had stumbled from crisis to crisis, seldom achieving more than plugging leaks in the ship of state. When, in the middle 1960's, the anti-poverty programme began, it was soon starved of the funds necessary for it to have any lasting effect. As President Johnson's dream of a "Great Society" faded, a period of hope in the country ended. The Republican victory of 1968 was a sign that the nation was concerned with other issues; the war was the most pressing matter, and the return to conservatism after the liberal

experiment of the early 1960's, relegated the Negro problem to a much lower priority. This retreat from liberalism was checked, briefly, by the Watergate scandal, and the subsequent Democratic victory in 1976, but with the perceived failure of the Carter administration, the country once more turned convincingly to a new conservatism. The inability of government in the 1960's, and subsequently, to solve the social and economic problems experienced by the poor, despite the massive funds at its disposal, has seriously shaken the credibility of government and led to popular support for increased decentralization.

After the demise of effective black protest, many whites claimed that it had ended because blacks were happy with the gains that they had made. It was only with hindsight that most people realized how token their success had been. It is true that the legislation passed brought great advances in the social status of, and social attitudes to, the American Negro. However, in actual material progress, measured in terms of reduced unemployment or improved housing, the great mass of Negroes were still underprivileged and often below the poverty line. What was needed was a massive programme to fight all poverty. The mood of the country would no longer support programmes specifically aimed just at blacks and there was little Congressional interest in allocating the vast sums necessary, to relieve the suffering of the poor.

In 1964, Martin Luther King had called for \$50 Bn. to be spent on anti-poverty measures.<sup>7</sup> In 1968 the Kerner Commission, appointed by President Johnson, to investigate the sources



of race riots, reported that massive funds were needed to counter the "brutalizing discrimination" that had "spawned the riots".<sup>8</sup> Johnson announced that it would cost \$30 Bn.<sup>(1)</sup> to implement the proposals, and that the country could not afford it. At the time of his death, King was trying to organize a campaign of civil disobedience that would force Congress to allocate the very necessary funds to the problem. It is doubtful that he would have even partly succeeded, but without him there was no chance, and black needs receded from the public eye.

Due to the very high esteem in which King was held by blacks, a feeling intensified by his "martyrdom". King has been almost deified in several rather effusive biographies. Some writers have even drawn parallels between King and the Mahatma Ghandi, seeing King as a deliverer of his people from the oppression of the white man. More recently revisionist works have tried to humanize King and remove him from this pedestal. This is not to denigrate his achievements or character, but merely to counter an unrealistic image that had grown up. A recent book by Stephen Oates was the first academic work that, while condemning the campaign of personal vilification against King by J. Edgar Hoover, recognized some of King's personal and political weaknesses. This work and the realization that by the end of his life King's star was fading and that he was

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(1) The Office of Economic Opportunity estimated it would cost \$1 Trillion to wipe out slums and poverty in 1967.<sup>9</sup>

outbid for black support by more radical leaders, has helped put his career in perspective.

In contrast, further popular misunderstanding of the period, and of King himself, is still being fostered by some sources. In 1979 NBC television in America produced a "docudrama", screened in several countries, including Britain, on the life and career of Martin Luther King. This production, and the book that accompanied it<sup>(1)</sup>, will have been taken by most people, without specialist knowledge, as a true representation. On the contrary, it is a type of "faction" or "fictionalized fact", that obscures and distorts the subject. Characters are not individuals but composite, speeches are misquoted and misattributed, sensationalist details are added and the chronology of events totally ignored. For instance, three pages of the book are devoted to a conversation between Malcolm X (at one stage referred to as Michael X) and King that supposedly occurred during King's Chicago campaign. However, King's campaign began in January 1966, while Malcolm X died in February 1965. The speech that King extemporaneously delivers, in the book, on learning of Malcolm's death was not actually delivered until February 1968. This type of misrepresentation and rewriting of history can only result, given the power of television, in large numbers of people being totally misinformed on the subject, and its success raises worrying questions about the effect of such programmes.

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(1) King, by William Johnston based on a screenplay written by Abbey Mann (1978, W.H. Allen, London).

Television is not solely to blame in this area. Newspapers have also played a large part in the building of false images and reputations. In the case of Malcolm X, newspapers were quick to latch on to the racism of the Black Muslims, while ignoring any positive aspects of the sect. When Malcolm X left Elijah Muhammed and publicly rejected his racist philosophy, the press still persisted in portraying him as a bitter and evil man. On the day after he died the New York Times wrote;

"He was a case history, as well as an extraordinary and twisted man, turning many true gifts to evil purpose ... his ruthless and fanatical belief in violence ... marked him for fame and for a violent end, ... he did not seek to fit into society or into the life of his own people ... The world he saw ... was distorted and dark. But he made it darker still with his exaltation of fanaticism. Yesterday, someone came out of the darkness that he spawned and killed him." 10

There is much evidence to suggest that King and Malcolm X were not that far apart in their final approach to black problems. They both laid great emphasis on the vote and the importance of using it to remove white segregationists from office. Both men demanded good education, housing and jobs, specifically, and justice and equality in general, and they warned of the potential for violence in the ghettos, if the situation was ignored. I have shown that King did not shrink from using violence perpetrated against blacks as a lever to pressure Congress. Similarly, Malcolm was attempting to use the threat of violence, in the form of self-defence, to frighten some whites into making concessions and decrease attacks on blacks.

Malcolm had long argued that what the Negro needed was not equal rights in society, but equal means to enjoy those rights. Martin Luther King also reached this conclusion in later years. He came to believe that the constitutional and legislative victories blacks had won had been hollow, and that the problem was essentially an economic one. This represented a shift toward Malcolm's position by King and his plans for a Poor People's campaign were based on making future protest on a class, rather than a racial, basis. Malcolm's ideas also developed, and the gap between their positions was further reduced. Having already diagnosed the problem, he was unable to find a base from which to search for a solution. He wanted to work in closer association with the civil rights movement, but the racist stance of his Black Muslim days made him unacceptable to the more moderate civil rights groups. It was unrealistic to suppose that the entrenched and established blacks in the older organizations would endanger their own power bases, by allying themselves with such a charismatic and unpredictable figure as Malcolm. However, despite the fact that they could not join forces, King's and Malcolm's analyses became increasingly similar.

Both leaders flirted with the rhetoric of the left towards the end of their lives. Malcolm said, people,

"are linking the problem of racism in Mississippi with the problem of racism in the Congo, and also the problem of racism in South Vietnam. It's all racism. It's all part of the vicious racist system that the Western powers have used to degrade and exploit and oppress the people in Africa and Asia and Latin America during recent centuries." 11

King said of the Chicago slums, that there was a system of "internal colonialism ... not unlike the exploitation of the Congo by Belgium".<sup>12</sup> His goal would be "to cripple the operations of an oppressive society", until it listened to the cries of the poor.<sup>13</sup> While it might be tempting for some authors<sup>(1)</sup> to suggest that this was the beginning of a new analysis by Malcolm and King, such judgements are necessarily speculative. What is clear is that the two men were getting closer to agreement. There were still large stumbling-blocks, such as the use of self-defence, but the newspaper images of one as a violent, rabid racist, and the other as simply a liberal disciple of peace, are patently misguided.

Finally, one further myth that has been forwarded in liberal analyses of black problems in America, concerns the South. The South is sometimes still described in a manner that suggests little change from the segregationist times of the late 1950's and early 1960's. A picture can be conjured up of the monolithic face of Southern racism, still cloaked in Klan robes, guiding the actions of politicians and city officials. The reality of the situation is that the South has probably changed more than the North, in this respect,

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(1) For instance, G. Breitman, H. Porter and B. Smith in The Assassination of Malcolm X, (1976, Pathfinder Press, New York) and Ruby M. & E.M. Essien-Udom in "Malcom X: An International Man", in John Henrik Clarke (ed) Malcolm X: The Man and His Times, (1969, Collier, Toronto).

during the last twenty years. Few elected officials today can ignore the black vote in the South. In November 1982, George Wallace, was again returned to the governorship of Alabama, but this time with considerable Negro backing, which reflected the change in his policies. In the North, however, while blacks also have electoral success and importance, (witness the election of a black mayor in Chicago in April, 1983), de facto segregation in education and housing, has hardly changed at all. The neglect that the Negro still suffers in the North, means that segregation is at least as overt in the North as it was in the South in the 1960's.

The American Negro struggle for equality remains a half-finished battle. Black constitutional rights were affirmed, and a new racial pride, completely unknown twenty-five years ago, has remained a lasting achievement. The civil rights movement inspired millions at home and abroad. It awoke the "sleeping giant" of America and stirred it to action, bringing a new realization of the depth of the problems facing blacks in American society. Against immense odds, the fence of the segregationist system was dismantled, piece by piece. The source of frustration and hopelessness, exhibited during the long, hot summers, and again in more recent disturbances, was that behind the fence was a brick wall of economic inequality. It was thus, only after the long, hard battle for legislative action, that many activists realized the intractable nature of the problems that remained.

The civil rights movement was both a success and a failure. It had almost complete success in securing for blacks the constitutional and legal rights, which were already enjoyed by the white population. But the end of de jure segregation, and the acquisition of the vote, did not transform the socio-economic position of American blacks. Civil rights leaders had, for the most part, simply tried to force white Americans to respect the legal rights of blacks. The struggle for economic advancement was bound to be more difficult. No longer could an appeal be made to constitutional principle, or even to traditional American values. Thus, the campaign for economic rights, for re-distributive economic policies and for affirmative action, took the civil rights movement outside the conventional, orthodox channels of American politics. Given the fate of white socialist groups in America, it is hardly surprising that the increasingly radical appeals of civil rights activists in the late 1960's, fell on deaf ears.

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3. President Kennedy's inaugural address, Washington D.C., 20th January 1961, quoted in Edmund S. Ions: The Politics of John F. Kennedy (1967, Routledge and Kegan Paul, London); page 49.
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8. Ibid; page 422
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