

IV. NEGROES AND CIVIL RIGHTS

NEGRO INCOMES

In a special study of *The Economic Status of Negroes: In the Nation and in the South*, Prof. V. W. Henderson of Fisk University reports that "60% of the Negro families in this country today still have incomes of less than \$4,000 annually, compared with 28% of the white families." (His figures are based on the U.S. Department of Commerce, *Consumer Income*, Series P-60, Aug. 28, 1962.)

The median wage or salary income of white families (and unrelated individuals) in 1961 was \$5,570 but for nonwhites (mostly Negroes) it was only \$2,908. In other words, the nonwhite median income was only 52.2% of the white income. The study concludes: "The percent of Negro families in lower income brackets is twice as high as whites, and the differential in earnings of whites and Negroes continues to widen."

In the U.S. as a whole, the number of Negroes in better-paying semi-skilled and white-collar jobs doubled between 1940 and 1961. But in the South the gain in the Negroes' economic situation has been slight. The difference in their economic progress, this special study concludes, reflects not only the southern lag in general but also a substantial lag in employment and occupational opportunity for Negroes in the South as compared with opportunity in other regions.

About 50% of the nation's Negroes are concentrated in the South and the South receives only about 20% of the nation's total income. What is needed, this study concludes, to improve the Negroes' economic situation in the U.S. is a "vigorous application of public policy in eliminating racial discrimination in education, training and manpower utilization or employment."

In Major Cities: A special study by the National Urban League shows the median income of Negro families in 11 major cities of the U.S. ranged from \$2,977 in New Orleans; \$3,033 in Atlanta, Ga.; \$3,622 in St. Louis; \$4,291 in Philadelphia; \$4,385 in Detroit; \$4,484 in New York; \$4,699 in Gary-Hammond, Ind.; \$4,763 in Washington, D.C.; \$4,768 in Cleveland; \$4,786 in Chicago; to \$5,163 in Los Angeles.

This study defined "middle class" as meaning that a family had an

income of \$6,000 a year or more. In none of these cities did the Negro median family income come up to this amount.

NEGRO WOMEN WORKERS

About 2,445,000 Negro women in the U.S. were working on paid jobs in 1960, an increase of 31% above the 1950 total of 1,870,000. A special study, *Negro Women Workers in 1960* by the U.S. Women's Bureau showed that both in 1950 and 1960 one out of 8 women workers was nonwhite (including a small percentage of American Indian, Oriental and Eskimo, but 93% Negro). Including other nonwhite as well as Negro women the number in the labor force in 1960 totaled nearly 3 million.

Nonwhite women continued their migration away from farms into industrial and metropolitan centers. Many also moved out of the South; the proportion living in southern states dropped from almost three-fourths in 1940 to just over half in 1960.

New Occupations: The major trend in the shift of employment patterns for Negro women has been away from the traditional home service types of work, and reflects recent gains in employment and educational status.

Relatively more Negro women were employed in professional services and public administration in 1960 than in 1950. The percentage gains made by Negro women in these fields were higher than those of white women. For example, the number of Negro women professional workers rose by 67% in the 10 years, while the gain for white women was 40%. Negro women clerical workers increased by 145%; white by 44%. The number of Negro women sales workers went up by 42%; white women in this field by 24%.

There were relatively fewer Negro women employed in personal services, the proportion declining from 52.7% in 1950 to 45.3% in 1960.

Individual occupations which Negro women have recently entered in large numbers include many clerical jobs such as secretary, stenographer, typist, cashier, telephone operator, and bookkeeper. These require more education, skill and responsibility than many jobs held by Negro women before World War II. Among Negro women the percentage of high school graduates rose from 14% to 23% in the 10 years between 1950 and 1960.

The median income of Negro women workers, over 14 years old, was \$1,276 in 1960 compared with \$2,537 for white women workers.

About 1.4 million nonwhite women in 1960 were working wives, constituting almost half of all the nonwhite women workers. One out of 3 nonwhite mothers with small children (under 6 years) was in the labor force. For white mothers the ratio was one out of 5.

Among women 20 years of age and over, a higher proportion of non-white than white women work outside the home. The difference is greatest for women between 25 and 45 years of age.

In a special report issued at the end of 1963, the National Commission on the Status of Women concluded: "In too many families lack of opportunity for men as well as women, linked to racial discrimination, has forced the women to assume too large a share of the family responsibility. Such women are twice as likely as other women to have to seek employment while they have preschool children at home" and most of them are "forced into low-paid occupations."

UNEMPLOYMENT AND JOB DISCRIMINATION

In 1964 white workers, 14 years and over, had a full-time unemployment rate of 4.6%. But nonwhites had a rate more than double this at 9.8%.

The relationship was about the same but the rates were much higher for teenagers between 14 and 19. Here the rate for whites was 13.3% and for nonwhites 26.2%.

The *Manpower Report* of the President for 1965, from which these figures are taken, says the job situation of Negro workers improved a little in 1964, "but remained drastically inferior to that of white workers." Also, "Close to half of all unemployed nonwhites live in families whose combined annual income totals less than \$3,000."

The pattern of job discrimination in the U.S. is still in general the same as that described in the 1963 *Report of the United States Commission on Civil Rights*: "In all sections of the country, the artisans of the skilled trades are overwhelmingly of the white race. Apprenticeship programs . . . contain almost no Negroes," due in part to the "discriminatory practices by unions and employers. . . . Consequently, Negroes are forced to seek the dwindling opportunities for unskilled labor."

In quoting this statement, Nat Hentoff, in his recent book, *The New Equality*, says: "An end to discrimination within unions is not going to result from the voluntary pledges of the unions themselves. . . . With the noted exception of the United Packinghouse Workers of America, exceedingly few international unions have put any degree of convincing pressure on those of their locals which practice bias against Negroes. . . . Technically the AFL-CIO could expel a local which persistently discriminated, but it has never taken such action and its present leadership gives no indication of changing that pattern, particularly with union membership decreasing."

Union Discrimination: Despite pledges and resolutions passed by labor organizations in recent years there are still countless instances of discrimination against nonwhite workers. Although some progress has

been made, the craft unions in the building trades are in general still holding out against the employment of Negroes. Herbert Hill, NAACP labor secretary, estimated in May 1964 that only about one-half of 1% of all mechanics in such skilled trades as plumbers, electricians and operating engineers were Negroes. And even when laborers and less skilled groups were included in the figures the ratio of Negroes was not more than 2%.

Some advances were being made in 1965. In March the plumbers, steamfitters and sheet metal workers unions were admitting their first Negro apprentices in New York, Philadelphia and Cleveland. This was in some cases called mere tokenism by NAACP, CORE and civil rights leaders.

Perhaps the most progress in 1964 had been made when the New York City electricians union in the construction industry reported about 300 Negro and Puerto Rican apprentices. In the case of Local 28 of the Sheet Metal Workers it took action by the New York State Commission for Human Rights to get the first Negro admitted to the apprenticeship program. The Commission on March 24, 1964, directed the union to discard its apprenticeship list and take other measures to end its exclusion of Negroes.

NLRB Decision: An important decision of another government body, the National Labor Relations Board, on July 2, 1964, was also expected to serve as a new tool in the Negro quest for equal opportunity in jobs. For the first time the Board ruled that racial discrimination by a union is an unfair labor practice in violation of the Taft-Hartley (National Labor Relations) Act.

The case grew out of the practice of maintaining two separate locals by the Independent Metal Workers Union, one white and one Negro, at the Hughes Tool Co. plant in Houston, Texas. In 1961 the white local, over protest of the Negro local, signed a revised contract with the company providing for additional apprenticeships to be available only to whites. A member of the Negro local, Ivory Davis, applied for one of the apprenticeships, but was rejected, the company holding that Negroes were ineligible under the contract. The white local also rejected his request. The Negro local then filed with the NLRB an unfair practice charge on his behalf. The Board found that the white local had unlawfully coerced Davis by failing to file his grievance. It held that a certified union may not negotiate a discriminatory contract with an employer and administer it so as to perpetuate discrimination.

Last "White Clause": The Locomotive Firemen & Enginemen was the last of the bona fide labor unions to give up its "white clause" in the union constitution. When it took this step in July 1963 Pres. George Meany of AFL-CIO announced that discrimination in trade unions is now a "bootleg product, sneaked in by the back door and nowhere

condoned." However, there were still many local unions that remained lily-white.

State FEPC Laws: Some 25 states now have mandatory fair employment practice laws. Most of them apply to unions, employment agencies and employers with more than a stipulated number (typically 2 to 12) workers. But enforcement of these state laws is lax and inadequate. Federal legislation, as suggested below, was expected also to be difficult to enforce.

WASHINGTON MARCH

Some 210,000 persons, Negro and white, mostly young, marched in Washington, D.C., on Aug. 28, 1963, in a civil rights demonstration for jobs and freedom, called by the Student Nonviolent Coordinating Committee and 9 other groups. Marchers demanded immediate passage of the pending Civil Rights Act, school desegregation, an end to police brutality, a federal public works program, a stronger Fair Employment Practices Act, and a national minimum wage of \$2 an hour.

The vast crowd, from all parts of the country, filled almost the entire mile-long mall between the Washington Monument and the Lincoln Memorial. The Catholic Archbishop of Washington, Rev. Patrick A. O'Boyle, agreed to appear on the platform if changes were made in the speech of SNCC chairman John Lewis. Student speakers referred to the fact that James Farmer, national director of the Congress of Racial Equality, was in jail in Louisiana at the time for his civil rights activities.

Self-Evident Truths: Rev. Martin Luther King, in his speech to the vast assembly pointed out that 100 years after the Emancipation Proclamation of 1963 the Negro people still are not free. He said: "I have a dream that one day the 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.'"

The *N.Y. Times* commented editorially (Aug. 29, 1963): "The huge assemblage of Negro and white citizens in Washington yesterday to demand equality in all aspects of American life embodied in concept and in execution, the noblest tradition of our democracy. . . . The discipline maintained by the civil rights pilgrims was as impressive as their dedication. That so vast a movement could be carried out with such decorum is a tribute to the responsibility of both leaders and followers."

The marchers standing before the Lincoln Memorial "in the centennial year of emancipation" took a pledge "in support of all actions undertaken in good faith in accord with the time-honored tradition of nonviolent protest, of peaceful assembly and petition" through the courts and the legislative process.

Call on Kennedy: After the demonstration, the largest the nation's

capital had ever seen, 10 civil rights leaders met with President Kennedy who said he had been impressed with "the deep fervor and quiet dignity" of the marchers: "The cause of 20 million Negroes has been advanced by the program conducted so appropriately before the nation's shrine to the Great Emancipator."

Among the leaders who met with the President was Pres. Walter Reuther of the United Automobile Workers. But the AFL-CIO executive council refused to endorse the demonstration even though large numbers of trade unionists participated. A. Philip Randolph, President of the Brotherhood of Sleeping Car Porters and an AFL-CIO Vice President, had first suggested the idea of a massive march-on-Washington and was the chairman of the joint committee of civil rights groups that organized it.

It was estimated that at least 40,000 representatives of churches and synagogues were in the march along with 200 religious leaders.

The day before the march Dr. W. E. B. DuBois had died in Ghana in his 93rd year, and his name was called by one of the speakers. The marchers knew that "he had carried the banner at their head for over half a century," as Herbert Aptheker put it in his *Soul of the Republic: The Negro Today*.

CIVIL RIGHTS ACT OF 1964

The Civil Rights Act of 1964 was signed into law by President Johnson on July 2. Hailed as a new bill of rights for everyone regardless of race, creed or color, it bans discrimination and segregation in employment and in places of public accommodation. It provides some safeguards for registration and voting, and gives the Attorney General more authority to prohibit segregation in public schools.

The 44th annual report of the American Civil Liberties Union commented: "The national civil rights consensus, which established the base for this overdue legislative action, was built on years of struggle by the Negro community and their white allies to end second-class citizenship. The long-range hopes placed in the new law did not mean an immediate end to discrimination and segregation. Harassment, intimidation and physical beating of Negroes and civil rights workers continued, which pointed up a glaring lack in the bill: the need to improve the federal civil rights law by strengthening provisions barring police brutality or other official misconduct."

Under the Act, the Community Relations Service was established to settle racial disputes. In a little over 4 months it had handled 69 cases in 23 states, and reported it had entered 6 disputes involving employment and labor practices; 8 in the field of housing and real estate; 4 involving law enforcement; 21 in the field of public accommodations; 4

in public facilities; 12 in school desegregation; 17 involving community tension and 4 miscellaneous cases. Of the 69 cases, 38 were in the South and 31 in the North and West.

LeRoy Collins, former Governor of Florida, the director of the Community Relations Service, reported Feb. 3, 1965, that a recent survey by the Service in the major cities in 19 states not having their own laws on public accommodations showed there had been desegregation in more than two-thirds of the hotels, motels, chain restaurants, theaters, sports facilities, parks and libraries.

Long, Lonely Road: But despite the progress since the law was passed, he said, "the nation is still a long, lonely way down the road from the full enjoyment of civil rights by all citizens. Americans still are being degraded, cheated, threatened, terrorized and even brutally murdered—for no other reason than that they are Negroes or allies of Negroes."

Employment Opportunity: Under the new law, employers, employment agencies and unions are barred from discriminating on the basis of race, color, religion, national origin or sex. The law covers all union hiring halls, employers with 100 or more employees, and unions with 100 or more members in industries affecting interstate commerce. In July 1966 minimum coverage under the Act in relation to job discrimination will drop to 75 employees or members; a year later to 50, and thereafter to 25 or more.

The new law also prohibits discrimination in pay or other benefits. Unions may not discriminate in membership or job referral or segregate members by race. All apprenticeship and training programs must be free of discrimination.

These employment provisions of the Act were regarded by NAACP lawyers as weak, cumbersome and probably unworkable. And CORE officials predicted the operations of the Equal Employment Opportunity Commission, headed by Franklin D. Roosevelt, Jr., would be tangled in red tape.

DESEGREGATION IN SOUTHERN SCHOOLS

The U.S. Supreme Court on May 17, 1954, called for "all deliberate speed" in the desegregation of public schools in the U.S. Some 10 years later it was found by the Southern Education Reporting Service that although the number of Negroes in schools with whites in 11 southern states had doubled during 1964, the total involved still represented only about 2% of Negro enrollment in those states.

Here are the figures showing the insignificant percentages of Negroes in school with whites in public elementary and high schools in 6 of these southern states where there has been the most resistance to de-

segregation: Alabama, .032%; Georgia, .377%; Louisiana, 1.12%; Mississippi, .02% (representing only 58 Negroes); North Carolina, 1.41%; South Carolina, .10%.

Slow Progress: The improvement in the southern and border regions combined since 1960 is shown in the following figures: In 1960 only 6% of Negroes enrolled were in schools with whites; in 1961, 6.9%; in 1962, 7.8%; in 1963, 9.2%, and in 1964, 10.8%.

The contrast between the southern and border states is significant. For in the 6 border states by the end of 1964 more than half (54.8%) of the 520,000 Negro students were enrolled in desegregated elementary and high schools.

During the 1963-64 school year, two of the three "holdout" states, Alabama and South Carolina, desegregated at the elementary and high school levels for the first time, and Mississippi only in the school year 1964-65.

Writing in *American Education* (Jan. 1965) Erwin Knoll, Washington correspondent for the Southern Education Reporting Service, noted that in the 11th year since the Supreme Court decision on school desegregation, "some desegregation has come to 583 of the 2,989 school districts in the 11 states of the Deep South. The number of desegregated districts ranges from 3 in Louisiana and 4 in Mississippi to 292 in Texas. The South has 734 school districts with either all-white or all-Negro enrollments and 1,672 biracial districts in which no desegregation whatever has taken place."

He points out also that the number of desegregated districts "are deceptive, for much of the compliance has been token, at best. Though more than a fourth of the biracial districts in the 11 Southern States are listed as desegregated, well under 2% of the Negro pupils in these states are attending classes with white children. The percentage has been rising almost imperceptibly since 1954. This year, slightly more than 50,000 of the 2.9 million Negro pupils in the South are directly benefiting from" the 1954 decision and its painfully slow implementation.

During the 1964-65 school term there were 5,973 elementary and high school districts in the border and Southern states combined, of which 3,023 were either all white or all Negro with the remaining 2,950 biracial. But of these only 1,282 had desegregated, 42 of them in policy only. In only 1,240 were Negroes actually attending the same schools with whites.

Economic Pressure: Enforcement of Title VI of the Civil Rights Act of 1964 was expected to result in more rapid desegregation. For the 11 Southern states receive almost \$300 million a year in federal assistance for school programs, and were to get even more under the federal school aid law passed in 1965. A *N.Y. Times* survey (Jan. 18, 1965) concluded that although the federal agencies will meet with some resistance, their

officials believe that "school systems will ultimately desegregate rather than risk having the flow of federal money stopped."

Early in May, U.S. Commissioner of Education, Francis Keppell set the fall of 1967 as the target date for integration of all grades of any school system that draws federal funds. For the 1965-66 year aid applicants must integrate at least 4 grades and also begin integrating school teaching staffs and school buses.

SCHOOL SEGREGATION IN THE NORTH

In his article in *American Education* (Jan. 1965) Erwin Knoll says that at the time of the 1954 Supreme Court ruling, "Certainly Northerners, complacently confident that their schools had long been 'integrated', did not anticipate the mass demonstrations and boycotts that would be mounted in protest against racial imbalance and substandard classroom conditions."

He refers to the *de facto* segregation of schools in the North based on discrimination in housing. The so-called "neighborhood school" concept has been increasingly under attack because it contributes to the perpetuation of segregated schools.

In Chicago, for example, where controversy flared up over racial imbalances in the schools and the inadequacies of the predominantly Negro schools, Knoll reports that a 5-man panel headed by Philip M. Hauser, University of Chicago sociologist, proposed "enlarged elementary school zones to promote more biracial classes, 'open' (city wide) enrollment in secondary schools, better integration of teaching staffs and across-the-board efforts to improve the quality of the school program."

In Portland, Oregon, a 43-man Committee on Race and Education in 1964 stated that the schools of that city were not providing equal educational opportunities for children of all races. It said: "Our studies indicate that our schools in their present educational practices are not achieving their purpose for students from culturally deprived circumstances and this is particularly true for Negro students."

In Buffalo 16 elementary schools and 1 junior high school were still nearly 100% Negro in 1965. The N.Y. State Commissioner of Education ordered the Buffalo Board of Education to end racial imbalance by September 1965.

Action Against Segregation: In Cleveland, Ohio, most major struggles centered around protests against the building of new schools in areas where they would perpetuate segregation patterns. In one demonstration April 7, 1964, at a school construction site Rev. Bruce W. Klunder, a young white Presbyterian minister, was killed by a bulldozer. He was the vice chairman of the local CORE group and associate execu-

tive secretary of the Student Christian Union at Western Reserve University.

School boycotts and protests were conducted by Negro and civil rights groups in early 1964, for example, in Chicago, Cincinnati and Boston, as well as in smaller towns such as Cambridge, Md. and Chester, Pa.

In New York City: Report by New York City board of education in March 1965 listed 187 schools as "segregated" where at least 85% of the enrollment is Negro and/or Puerto Rican. This is an increase of 18 such schools in one year and more than double the figure for 1957. Biggest increase was in elementary schools which rose from 134 "segregated" in 1963 to 148 today. And for the first time nonwhites outnumber whites in the city's elementary grades.

A school boycott was conducted on Feb. 3, 1964, by the Citywide Committee for Integrated Schools in which the NAACP, CORE and several other groups were united. Rev. Milton A. Galamison of Brooklyn headed the committee and the boycott was directed by Bayard Rustin, director of the 1963 March on Washington. About 464,000 pupils, largely from Negro schools, joined in the protest. This was at least 350,000 more than the normal absentees. The general purpose of the boycott was to protest against the Board of Education's slowness in doing anything "substantial and meaningful" to break up *de facto* segregation in the school system.

A second boycott was conducted March 16 with nearly 170,000 out in addition to normal absentees. This time national CORE and the NAACP withheld sponsorship.

In Jan. 1965 Rev. Galamison led a much smaller boycott which lasted several days during which he received a suspended sentence for harboring pupils in violation of the state compulsory education law. When he violated the terms he was sent to prison for 3 days. About 28 schools were involved in this boycott and about 6,000 students.

Allen Report: The report of State Education Commissioner Allen made public in 1964 after the second boycott, stated that "Puerto Rican, Negro and other students in public schools . . . suffer extensive and serious ethnic segregation." It said that the New York City Board of Education's "efforts have had no measurable effect" upon segregated schooling, and that its proposals "would not reduce current levels of school segregation or prevent future increases."

Later reports made by the city authorities in 1965 agreed that the Allen proposals were a good basis for policy. But the city's proposed measures, while taking some steps in the right direction, were not regarded as satisfactory by militant civil rights leaders.

Despite such criticism, however, it was admitted that New York City's efforts to promote integration have been more advanced than those of many other Northern cities. Such improvements as open enroll-

ment, zoning changes, pairing of schools and some busing of students were among the first steps taken in 1965 in the direction of achieving a school system that combines integration and quality education.

MISSISSIPPI SUMMER PROJECT

In his book, *SNCC: The New Abolitionists*, Prof. Howard Zinn of Boston University reported that a thousand students from all over the country were planning in 1964 "in a program directed by Bob Moses and the Council of Federated Organizations, to spend the summer in Mississippi, establishing schools, setting up community centers, registering voters. They would join a reinforced group of staff members of SNCC, CORE and the NAACP. And meanwhile, the state of Mississippi was mobilizing its police forces to act as it had before, on an even larger scale."

The Mississippi Summer Project (1964) of COFO was the outcome of these preparations. It included as many as 1,500 in the course of the summer, some staying for the full season, others for only a few days. Most of them were college students but there were scores of social workers, lawyers, doctors, teachers, ministers, all of them engaged in one way or another in the establishing of Freedom Schools, Community Centers and Political Education. The latter project consisted of voter registration drives in 40 towns and villages either for voting in the regular Mississippi election or in the special registration drive for the new Freedom Democratic Party.

At least 30 Freedom Schools were established, attended by over 3,000 Negro youth. They were designed to instruct the students in Negro history along with reading, writing and mathematics. They gave remedial academic work as well as vocational training.

The 24 Community Centers conducted literacy classes and training in various skills for adults and arts and crafts courses and recreation programs for children. For example, in the one at Meridian, there was not only a nursery school but a sewing instruction program for adults. In Ruleville the women were taught health subjects, first aid, reading, writing and Negro history.

Negro Courage: Richard J. Bernstein, who teaches philosophy at Yale University, in reviewing the work of the summer project in *The Nation* (Dec. 28, 1964) wrote:

"The Mississippi project would never have gotten off the ground if the Negroes themselves had not been willing to risk their jobs, property and lives. It was they who found the churches and other buildings for the Freedom Schools and Community Centers, who attended the schools in the oppressive summer heat, who took the COFO workers into their homes. The courage that this required can scarcely be estimated. Every

Negro who became identified with the freedom movement was risking economic and physical reprisal. In Mississippi there is no sanctuary for the Negro; the 'law' is not a source of protection but the chief instrument of intimidation and persecution."

He concluded: "The great insight of the COFO workers was that help must be genuine help. It cannot be paternalistic. . . . It can work—and it is working—when one is willing to move in with and function directly with the Negro community."

Legal Aid: COFO's campaign was aided by four groups of attorneys totaling about 150 who came to Mississippi during the summer. They included the group from the National Lawyers Guild with an office in Jackson and bases in Meridian, Greenwood and Hattiesburg; the Lawyers Constitutional Defense Committee, with which attorneys from the American Civil Liberties Union were associated; the Lawyers Committee for Civil Rights Under Law, which aided the 325 ministers sent in during the summer by the National Council of Churches; and the NAACP Legal Defense and Educational Fund. There was also an unofficial COFO Legal Advisory Committee, including William M. Kunstler of the New York Law School who initiated several broad suits including one against the state poll tax.

The National Lawyers Guild sent a letter to the head of the state bar association explaining, "Our concern in Mississippi is to attempt to redress the lack of available lawyers in Mississippi ready, willing and able to handle civil rights cases."

The Guild reported that its 66 lawyers saved COFO workers "countless days that might have been spent in jail, as well as many dollars in fines." As a result of their mere presence Atty. George Crockett of Detroit, who helped plan the Guild work, stated that, "There have not been nearly so many arrests this summer and certainly not as much police brutality and harassment as did exist here last summer." And the legal climate in the courts of Mississippi changed somewhat for the better.

However, in a letter to the President of the American Bar Assn. in Aug. 1964 the Guild pointed out: "Perhaps the reality behind the system of justice in Mississippi for those who oppose the pattern of segregation may best be understood by the fact that only one lawyer (white) has responded to our direct written requests to hundreds of lawyers in Mississippi to accept civil rights cases. This courageous man has already begun to suffer the economic and social reprisals which have uniformly hounded Southern white lawyers who have associated themselves with the defense of these cases."

The COFO project did not end with the summer. Hundreds of students returned to their colleges but some stayed on and were joined by new volunteers working out of some 35 offices in the state with about

250 workers on the job at the end of the year. They were looking forward to another summer of similar work throughout the South, stressing especially the drive to get more Mississippi Negroes registered to vote.

TRIPLE LYNCHING OF RIGHTS WORKERS

Three dedicated workers in the civil rights cause were reported missing in Mississippi on June 21, 1964. They were Michael H. Schwerner, 24, a social worker of Brooklyn, N.Y.; Andrew Goodman, 20, a Queens College student of New York City and James E. Chaney, 21, of Meridian, Miss., a field secretary of the Council of Federated Organizations.

On the day of their disappearance they were on their way back to the Meridian office of COFO after investigating the burning down on June 16 of the Mt. Zion Baptist Church which was to have been used as a Freedom School in connection with the Mississippi Summer Project.

Police in Plot: They were stopped by police near Philadelphia, Miss. and Chaney, the driver, was held for speeding, the other two for investigation. Kept for several hours and unable to communicate with their organization they were released from the jail after Chaney had paid a \$20 fine. The deputy sheriff had them drive into a waiting group of some 20 killers who took them to a spot where they were murdered. Their bodies were buried 20 feet under an earthen dam then in construction on a farm about 6 miles southwest of Philadelphia.

On June 23 the burned out station wagon of the boys was found in a swamp about 10 miles north of Philadelphia. After weeks of searching, with the federal government offering a reward, the bodies were found on Aug. 4, 1964.

The Mississippi authorities took no action and brought no murder charges. Four months later the sheriff of Neshoba county and his deputy and 19 other white men, including several leaders of the Ku Klux Klan, were arrested. The federal complaint said that the deputy sheriff had arrested the 3 boys on a fictitious speeding charge and then released them so that other conspirators would intercept them and kill them. The government said that 10 of the conspirators were actually involved in the murder.

None of the 21 were charged with murder, a charge over which the federal government has no jurisdiction unless the crime is committed on government property. So 19 of the men were charged under an 1870 statute, with conspiracy to violate the civil rights of the victims. The other two were charged as accessories to the crime.

A U.S. Commissioner, holding that the confessions the government had obtained were only "hearsay," dismissed the charges. The government then presented evidence again to a federal grand jury and later, in

Jan. 1965, 18 of the racists were indicted. But an outspoken segregationist federal judge dismissed or reduced the charges to misdemeanors. The U.S. Supreme Court agreed to review the dismissal of the charges.

When the murder was confirmed, Robert and Carolyn Goodman, the parents of Andrew, said at a press conference: "Our grief, though personal, belongs to our nation. This tragedy is not private. It is part of the public conscience of our country. The values our son expressed in his simple action of going to Mississippi are still the bonds that bind this nation together—its Constitution, its law, its Bill of Rights."

NIGHTMARE IN MISSISSIPPI

A month before the election in 1964, 18 Democratic Congressmen called on the federal government to "take all necessary steps to prevent further violence and bloodshed" in Mississippi. They noted that in McComb alone 17 bombings, 32 arrests, 9 beatings and 4 church burnings had been reported since June.

Churches Bombed and Burned: At the same time the *N.Y. Times* (Oct. 6, 1964) noted editorially that "some 40 churches have been burned or bombed in Mississippi in the past six months." These incomplete figures were in line with those reported by other agencies, for example, that in this period 24 churches were destroyed in that state by arson, bombing and dynamite attacks and that 31 other buildings had been partly destroyed. Firebombings with bombs that exploded and caused fires were reported in 13 cities and towns of that state including Jackson, Vicksburg, Natchez, Meridian as well as McComb. Typical of countless such attacks were the following:

At Clinton, Miss. on June 26, after a white minister had spoken to a Negro Bible class, his church was burned. The office of a white moderate newspaper in Jackson was bombed on Aug. 27. When the Mayor of Natchez showed sympathy for the civil rights struggle his two offices were bombed on Sept. 14, and his home on Sept. 25.

Two children were injured on Sept. 20 in McComb when the home of Mrs. Aylene Quinn, local civil rights leader, was bombed. Two civil rights workers sleeping in the Freedom House at Vicksburg were cut by flying glass after an explosion on Oct. 4.

Law Officers Helped: Violence by white hoodlum members of the Ku Klux Klan, the Americans for the Preservation of the White Race, the White Citizens Councils and similar racist bodies was often aided and encouraged by so-called "law officers." Describing in the *Progressive* (Sept. 1964) the nightmare of official and unofficial terror against civil rights workers, Dr. Peter Weiss, Wisconsin University psychologist, who spent two weeks in Mississippi wrote: "There is hardly a SNCC staff member around who hasn't been clubbed, beaten, and drenched in his

own blood by the police and the young hoods who serve them. . . . Bombings, burnings, whippings, shootings, and job dismissals continue to occur with unfaltering regularity. It is appalling to find them appearing in the Northern press as 'scattered incidents.' To the Negroes of Mississippi and the COFO staff, these incidents are a nightmare reality that faces them daily. I cannot recall an instant of my visit in Mississippi that I was not afraid."

After giving details on the treatment of several civil rights workers he summarizes the violence associated with an attempt of a Negro to register to vote in that state: "You fight your way past the bottles and curses to the court house. Then you fight your way through a gauntlet of billy clubs up the steps to the registrar's office only to find that you cannot exercise your birthright as an American citizen. Then you fight your way back home again through the same mob. That night your house is bombed, and you stumble dazed and deaf into the front yard where a policeman stands spitting on your grass, trying to conceal his glee. Mississippi, 1964, is Germany, 1936, revisited."

OTHER KILLINGS OF NEGROES

During the years 1963-65 violent action against Negroes continued in many areas of the southern and border states, as well as in the North. Policemen as well as racist members of the Ku Klux Klan and the White Citizens Councils joined in the slaughter. Lawlessness and terror met the efforts of Negroes and their allies to exercise their constitutional rights. (See also sections on Mississippi Nightmare, Mississippi Summer Project, and Southern Voting Registration Struggles.)

Only a few of the typical crimes of the period are mentioned below:

Medgar W. Evers, Negro leader in Jackson, Miss., and state secretary of the NAACP, was ambushed and killed on the night of June 12, 1963, as he was entering his home. Byron de la Beckwith, a white salesman who preached white supremacy on his travels in the state, was charged with the murder and tried in Jan.-Feb. 1964. Witnesses traced the murder weapon to Beckwith and 39 men and women testified against him. The first trial ended in a hung jury, with a vote of 7 for acquittal and 5 for conviction. A second mistrial was declared on April 17 after an all-white jury deadlocked, reportedly 8 to 4, in favor of acquittal.

Birmingham Children: In Birmingham, Ala. on Sept. 15, 1963, four young Negro girls were killed in the dynamiting of the 16th Street Baptist Church. Three men were convicted, sentenced to 90 days and fined \$100 each, but the convictions were later reversed on appeal.

Louis Allen, 44-year-old Negro leader and a lumberjack, at Liberty, Miss., was found dead in his front yard Jan. 31, 1964, by one of his

sons. He had been shot three times with a shotgun. He had been warned that local whites were "out to get him" because he had witnessed the killing in 1961 of another Negro, Herbert Lee, who was active in the voter registration campaign.

Two young Negroes, Charles Moore, a college student, and Henry H. Dee, a laborer, both 19 years old, were killed on or about May 2, 1964. Their bodies were found in July 1964 in the Mississippi River near Tallulah, La. Authorities indicated that they had been beaten to death. Two white men, a truck driver and a paper mill employee of Meadville, Miss., were arrested Nov. 6, 1964, and charged with the murders. One of them was a self-admitted member of the Ku Klux Klan.

A Negro boy, James Powell, 15 years old, was shot and killed in New York City, July 16, 1964, by an off-duty policeman, Lt. Thomas R. Gilligan. On Sept. 1 Gilligan was cleared by a New York County grand jury which reported he was not criminally liable for the killing. Negro civil rights leaders attacked the exoneration of Gilligan as a failure of justice.

Army Reserve Officer: Lemuel Penn, Negro educator and Army Reserve officer, was killed by a sniper's shotgun blast, July 11, 1964, as he drove through Georgia. The shot was fired from another car as Penn and two other reserve officers were driving near Colbert. The three were returning from a tour of duty at an Army Reserve training camp at Fort Benning, Ga.

Four members of the Ku Klux Klan were arrested, and 3 indicted for this murder. They were acquitted by an all-white jury. Later 6 involved in the murder were indicted for conspiring to injure and oppress Penn. But the indictments were dismissed by a federal judge.

MISSISSIPPI FREEDOM DEMOCRATIC PARTY

An outgrowth of the political education and registration activities of the Council of Federated Organizations in 1964 was the organization of a new means of political expression for the disfranchised Negroes of Mississippi. This effort to gain some political power took the form of the Mississippi Freedom Democratic Party which held a state convention in Jackson Aug. 6 with delegates from more than half of Mississippi's 82 counties.

Delegates were elected to the Democratic National Convention at Atlantic City. But when the FDP delegation of 64 Negroes and 4 whites tried to get seated there in place of the "regular" lily-white delegation they met with an offer to have only seats at-large created in the convention for 2 of their leaders, Aaron Henry and the Rev. Edwin King. The compromise proposed that both delegations give a pledge of loyalty to

the National Democratic ticket and that the convention rule should be changed to require non-discriminatory state delegations at the following convention in 1968. The compromise was not acceptable to either side. The FDP considered it only a token victory and merely a "way out" for the Administration in its desire to hold white southern votes.

Despite the intense efforts of the COFO summer freedom project and the new party to get Negroes registered to vote in the November election not more than 2,000 had been added to the Mississippi rolls. To dramatize the situation and to show the support of the Mississippi Negroes for the national ticket, the FDP staged a mock election in which all those of voting age were encouraged to cast their ballots. The 4-day vote was held just before the regular election with some 200 civil rights COFO workers and 75 Eastern and Middle Western college student volunteers helping with the operation.

"Freedom Vote": Ballot boxes were set up for the "freedom vote" in barbershops, cafes, cleaning establishments, churches and even in automobiles to reach backwoods areas. On the ballot appeared the names of Johnson and Humphrey and the 4 Negro congressional candidates of the new party who had been disqualified by the State Election Committee dominated by the Jim Crow establishment. Some 60,000 votes were counted.

Congressional Challenge: The next move was to challenge the election of the 4 Democratic and Republican congressmen from Mississippi who had been elected on November 3. The legal step was made on the ground that these reactionaries did not represent the people of Mississippi and that their election was invalid because Negroes were not allowed to vote in almost every part of the state.

The challenge was brought by the 3 women who had been on the FDP ticket—Mrs. Fannie Lou Hamer, Mrs. Annie Devine and Mrs. Victoria Gray.

Meantime, as Congress opened on Jan. 4, 1965, more than 600 members of the FDP—Negro farmers, sharecroppers, housewives, workers—were in Washington in support of the challenge to the seating of the racist Representatives from Mississippi. On that day almost a third of the House members, 149, had voted against seating the 5. A vote of 218, or more than half of the members, is necessary to unseat.

Rep. William F. Ryan (D., N.Y.) who introduced the "fairness" resolution told a FDP meeting that "today is the last time Congress should seat as members men who gained their seats through violence, intimidation, economic reprisal and murder." The *N.Y. Times* (Jan. 1, 1965) said, "The House can and should refuse to seat the 5 Mississippi Representatives pending a full investigation by one of its own committees and a final determination in the courts of the validity of their election." However, it opposed the claims of James Farmer and others that the

3 women were actually elected and should have House floor privileges while their "challenge" was pending.

Five northern liberal Republicans who opposed seating the Mississippi delegation joined in a statement saying the Democratic leadership had "effectively condoned the disfranchisement of more than 400,000 American citizens in Mississippi and missed an opportunity to rectify the wrong."

The challenge continued in Mississippi as the FDP assembled the evidence to show the illegality of the election. For the first time since Reconstruction the segregationist practices of Mississippi officials were being challenged in public hearings as the FDP pressed its efforts to unseat the 5 white congressmen.

Witnesses to Terror: At these hearings Negroes were able to testify to the systematic terror directed against them when they tried to register to vote—threats and intimidation, loss of jobs and loss of credit, phony arrests, and every form of terror.

Some 15,000 pages of testimony of some 600 witnesses in 33 counties were taken by 133 volunteer attorneys and filed with the Clerk of the House to support the claim that the 5 Congressmen were elected illegally. (See *The Nation*, May 17, 1965, "The Mississippi Challenge" by George Slaff, one of the volunteer lawyers.)

SOUTHERN VOTING REGISTRATION STRUGGLES

The main issue in the Negro revolutionary struggles of 1964-65 was the right to vote. It was centered in Mississippi and in the Black Belt of Alabama. As of Feb. 1965 there were no Negroes registered in all of Lowndes County, Ala., and none in Wilcox. In Dallas County, which includes Selma, only 2% had been registered. (In one county in Mississippi there were none registered and in one in Louisiana only 1.7%.)

The full story of Negro registration is kept up to date by the Voter Education Project of the Southern Regional Council, Atlanta, Ga. As of the end of Nov. 1964 the total of unregistered Negroes of voting age in the 11 Southern states numbered over 2.8 million. Thus, despite the registration drive of the election year 1964, only small numbers of Negroes were registered to vote in the Deep South. In the 11 southern states together 43.3% of the eligible Negroes were registered compared with 73.2% of the whites. In Louisiana only 32% of the eligible Negroes were registered; in Alabama 23%, and in Mississippi only 6.7%.

Chain of Slavery: In summarizing some of the "several links in the chain of slavery borne by the disfranchised Negro of the rural South," Dr. Martin Luther King, Jr. pointed to the "gestapo-like control of county and local government" by racist sheriffs, and the "slow pace of the registrar and the limited number of days and hours during which the

office is open" for applications for registration of Negro voters. He mentioned also the "literacy test," administered unfairly against Negroes, and the poll tax requirement in state and local voting. (Industrial Union Dept., AFL-CIO, *Agenda*, March 1965.)

On top of these barriers thrown up to hold down Negro voting registration are a whole series of economic and related difficulties. In his recent book *Federalism and Civil Rights*, Burke Marshall, former U.S. Assistant Attorney General for Civil Rights, lists some of the routine harassments faced by Negroes seeking to exercise their right to vote in the South. These include "cancellation of sharecropper arrangements, refusal of credit by banks and stores, a retaliatory boycott by suppliers, physical violence by a sheriff, unwarranted arrests or other police intimidation, and loss of employment."

In their efforts to register to vote in southern states hundreds of Negroes during the past two years have been beaten, arrested and charged with "unlawful assemblage." Some have given their lives. Here are only a few examples of the persecution of Negroes in the voter registration campaigns.

During the summer of 1963 more than 200 Negroes of Americus, Ga., were arrested in voter registration drives. On April 25, 1963, Ralph Allen, a worker for the Student Nonviolent Coordinating Committee was beaten on the street after he had taken a Negro woman to vote at the Sumter County courthouse.

At Selma, Ala., about 320 Negroes were arrested between Sept. 15 and Oct. 2, 1963, when they carried signs saying "Register to Vote." The Department of Justice charged the White Citizens Councils with intimidation of potential Negro voters. (See more on Selma below.)

At Dawson, Ga. Mrs. Carolyn Daniels was registering Negroes to vote. Her home was bombed Dec. 8, 1963, by night riders. Her leg and foot were injured by their bullets.

John Lewis, SNCC chairman, was arrested Sept. 25, 1963, for leading students of Selma University in Alabama to register. He was convicted of "unlawful assembly," sentenced to 180 days in prison and a \$300 fine, and later released on bail.

In Jackson, Miss., a SNCC field secretary had taken 17 Negroes to the Holmes County courthouse to register in April 1963. They had been met by 6 armed white men who kept all but 2 from entering the building. Deputy Sheriff Andrew P. Smith had arrested 4 field secretaries of SNCC and a Negro farmer on charges they had "firebombed the farmer's home to stir up sympathy for a voter registration drive." These charges were later dropped.

Selma Concentration: The campaign for voter registration was concentrated again at Selma in early Feb. 1965. Rev. M. L. King and hundreds of others, including many high school students, were arrested

when they tried to march to the county courthouse to demand voting rights. Up to Feb. 3 none had been registered. But those arrested within a few days in Selma and nearby Marion totaled 2,800.

It was only the beginning, as Selma, along with Montgomery and Marion, remained the focal points of the civil rights struggle during the following weeks marked by 3 killings, countless bloody beatings and historic marches and demonstrations.

On Sunday, March 7, Rev. M. L. King, leading about 600 Negroes and a few white sympathizers, started on a march from Selma to Montgomery to protest the denial of voting rights to Negroes.

State troopers and mounted deputies bombarded the marchers with tear gas and then attacked them with clubs, bull whips and ropes, injuring men and women alike. Gov. George C. Wallace had ordered the march stopped, declaring, "We can't give in one inch" on the demand for equal voting rights.

The clubbed and bleeding marchers were driven back almost a mile to the starting point at Brown's Chapel Church in Selma. Ambulances were driven in relays between the church and the hospital, carrying men, women and children, suffering from head wounds and tear gas. The attack was described as the most savage one since the Birmingham demonstrations were suppressed in June 1963.

Undaunted, another attempt to march was made March 9 by King, leading over 1,500 in all, including many white ministers from the North. But state troopers were ordered to enforce a court injunction against the march. The leaders finally complied after kneeling for prayer near the highway and then returning to the church.

Rev. James Reeb Killed: On the evening of this day a Boston Unitarian minister, Rev. James J. Reeb, 38, and two other ministers were attacked by 3 white racists on a street in Selma. Felled by a savage blow on the head with a club, Reeb died 2 days later in the hospital. Services in his memory were held all over the North including a rally of some 30,000 on Boston Common.

The death of Rev. Reeb, who left a wife and 4 children, sent a wave of revulsion over the U.S. that stirred President Johnson to make an appeal to Congress March 15 advocating a law to "strike down restrictions to voting in *all* elections—Federal, state and local—which have been used to deny Negroes the right to vote."

March to Montgomery: After an injunction had been ordered by a Federal District Judge on March 17 upholding the right of the marchers to proceed to Montgomery, Gov. Wallace claimed the state did not have finances or manpower enough to handle the security effort required to protect the march. So President Johnson federalized nearly 1,900 National Guardsmen in addition to 500 regular troops and other federal agents. With this protection the final march started from Selma on

March 21 with some 3,200 led by Dr. King, Ralph Bunche and other political, labor and church leaders from the North, including Mrs. Constance Baker Motley, recently elected Borough President of New York City. Number of marchers was reduced by court order to 300 when a 2-lane highway was reached the first day. But they were joined again by several thousands on the outskirts of Montgomery. The march continued up to the State capitol building on the 25th, merging with a mighty demonstration of more than 25,000, with people from all over the country joining in the final rally. Rev. King, addressing the throng, said that Selma had become "a shining moment in the conscience of man."

Gov. Wallace refused to meet the delegation with the petition which said: "We have come not only 5 days and 50 miles but we have come from 3 centuries of suffering and hardship. . . . We have come . . . to declare that we must have our freedom *now*. We must have the right to vote; we must have equal protection of the law and an end to police brutality." Five days later a delegation got to see the Governor who promised to give the petition "careful consideration."

Murder of Mrs. Liuzzo: A few hours after the great Montgomery rally death struck again on the highway. Mrs. Viola Gregg Liuzzo, a 38-year old mother of 5 from Detroit, was murdered while driving back to Montgomery after taking some civil rights workers to Selma. A Negro youth was in the front seat of the car and witnessed the volley of shots from the killers' car. Later, on March 26, President Johnson appeared on TV to deplore "the horrible crime," to announce that 4 Ku Klux Klansmen had been arrested, charged with the crime and to say he was requesting Congress to investigate the KKK, "a hooded society of bigots."

A month earlier a third victim in this Alabama voting rights drive had been the young Negro James Lee Jackson who died Feb. 26 after being shot on Feb. 18 by a state trooper in Marion, Ala. He had been sitting in a cafe after troopers had broken up a march to the courthouse in connection with the voting rights drive. Rushing into the cafe one trooper seized Jackson, while another shot him. He was refused treatment at the Marion Hospital and taken to one in Selma where he died of complications. *The Student Voice* (March 26, 1965) commented, "The killer of Jimmie Lee Jackson is yet to be prosecuted."

Voting Rights Law: A federal voting rights act was passed by Congress in 1965 and signed by the President in August. It reaffirmed the guarantee of the 15th Amendment to the Constitution that no citizen's right to vote shall be denied or abridged because of race or color. Main purpose of the bill was to stop the use of literacy tests, "knowledge of government" tests and other restrictive practices and regulations used to prevent Negroes from qualifying as voters. It did not, however, prohibit the payment of a poll tax as a prerequisite for voting in state or local

elections. Four states—Alabama, Mississippi, Virginia and Texas—still have this requirement.

The Act was considered by experts as falling far short of achieving universal suffrage. (See "Small Fruit of a Bold Promise," by Prof. William W. Van Alstyne, *The Nation*, April 19, 1965.)

SEGREGATION IN HOUSING

In its 44th annual report (1963-1964) the American Civil Liberties Union noted that, "Fair housing legislation was buffeted by two conflicting trends. Referendums in several cities and states tried to nullify fair housing laws, and in some places succeeded. At the same time, a number of cities were added to the growing list of places with non-discriminatory housing statutes. Nationwide interest focussed on California where voters approved a state constitutional amendment that nullified an existing fair housing law and barred any future local or state legislation against discrimination in housing."

This reactionary move in California took the form of Proposition 13, which was proposed by the California Real Estate Association. The amendment would repeal the Rumford Fair Housing Act passed in 1963 and all other state fair housing laws by declaring that the state cannot deny any person the right "to decline to sell, to lease or rent" his property to such persons "as he, in his absolute discretion chooses." The passage of this proposition froze into the state constitution a provision that, in effect, permanently legalized housing discrimination.

The ACLU report noted that this drive in California "was part of a national effort by the National Real Estate Association to thwart legislative action. . . . Several major cities withdrew anti-bias housing ordinances, emphasizing the tremendous educational work still needed to win the acceptance of non-discriminatory housing."

Segregated Servicemen: Even among Negro servicemen who live near military bases in the U.S., racial discrimination in housing persists. A nationwide survey by the Pentagon showed that there was just as much housing discrimination in the North as in the South. It was found that communities near 90% of 305 installations practiced housing discrimination against Negro servicemen and their families. It was considered "the most unyielding" form of discrimination affecting Negroes in uniform.

Some commanders of military bases reported that Negro servicemen might have to travel as much as 28 miles to find decent accommodations for their families; "others suggested that they could find nearby facilities if they paid more than whites, and still others reported Negroes could not find satisfactory housing under any circumstances." (*N.Y. Times*, March 26, 1965.)

In addition to the 196 base commanders who reported outright discrimination, 78, whose bases were chiefly in urban centers, reported that Negroes "could find adequate housing, but only in certain segregated sections."

Negro Ghettos: The so-called open market for housing, even when achieved by struggle for desegregation and fair housing laws, affects mainly middle-income Negroes. As Nat Hentoff says in his book, *The New Equality* (1964), it has little relevance to the poor Negroes in the slums:

"In Phoenix 97% of nearly all that city's Negroes are in a radius of a mile of the railroad tracks or the river bend. In Omaha all but a minute number of the 30,000 Negroes there are crowded into the near North Side. In Newark some 83% live in 6 of the city's dozen neighborhoods, including 3 of Newark's most deteriorated areas. Except for 1,500 of them, Boston's 63,000 Negroes are jammed into a boomerang-shaped, decaying area of adjoining neighborhoods in Roxbury, North Dorchester, and the South End. In Indianapolis 89% of the Negroes are in Center Township, the 'inner city', in homes that are 75 to 100 years old. Nationally, as Tom Kahn has reported 'one out of every 6 Negro dwelling units is dilapidated, obsolete or otherwise substandard, as compared with one in 32 white dwellings.'"

Hentoff concluded that in 1964, "no *basic* change has taken place in the design reported in 1961 by the U.S. Commission on Human Rights: 'There is an ever-increasing concentration of nonwhites in racial ghettos, largely in the decaying centers of our cities—while a "white noose" of new suburban housing grows up around them.'"

Racial segregation has actually been rising a little, a population expert, Karl Taeuber of the University of Wisconsin, has reported in *Social Problems* (Summer 1964). His study of census figures discloses that in 109 cities surveyed the residential segregation ratio rose from 85.2% in 1940 to 86.1% in 1960. (The ratio was based on the percentage of blocks containing only whites or only nonwhites.)

In his study, *Segregation, Subsidies, and Megalopolis*, issued in 1964 by the Center for the Study of Democratic Institutions, Bernard Weissbourd says that no plan for reconstituting American cities can succeed unless it provides for the breakdown of racial segregation. "If America is not prepared to accept interracial communities, there is little hope of arresting the decline of the city."

He calls racial segregation one of the most serious threats to the future health of any large city. "Not only is the Negro population of our cities increasing in numbers but housing for Negroes is becoming increasingly segregated." And this segregated housing is the worst reported in official housing surveys. For example, in the Central Harlem area of New York

City the proportion of housing classified as "substandard" is still around 50%, while for the city as a whole it is about 15%.

POLICE TERROR IN THE NORTH

Police brutality against Negroes in Northern cities is an old story. Particularly in the Negro ghetto of Harlem, New York City, where, for example, on April 17, 1964, a group of 6 teenagers, accused of overturning a fruitstand, were brutally beaten by police. A bystander lost his eye when a policeman hit him with a nightstick.

Three days later the same group of teenagers was arrested and charged with killing Margit Sugar, a Harlem clothes dealer. They were beaten repeatedly by police in an effort to extract a signed confession.

After the arrest and beating of the teenagers the Harlem Defense Council was formed to aid these and other victims of police brutality.

Later, on July 16, a 15-year old Negro boy, James Powell, was shot by an off-duty policeman, Thomas Gilligan. (See page 86.) The boy's school friends demonstrated for 2 days in front of the school where he was murdered. Then on July 18 the Harlem branch of the Progressive Labor Movement held a street meeting at which some of the mothers of the "Harlem Six" spoke along with Harlem Defense Council members.

About the time this rally ended another one 10 blocks away led by 2 CORE chapters closed with a march on the local police station and a sit-down demanding the arrest of Gilligan. This led to the order to club and beat the protesters and the subsequent attacks for 3 days and nights on every group of citizens gathered to protest the terror.

The Harlem Defense Council called for a peaceful demonstration on July 25 to present the demands of the people. The Police Commissioner banned the meeting. When the HDC and the Harlem PLM headed by William Epton attempted to carry out the march he and his attorney, Conrad Lynn, were arrested, charged with "disorderly conduct" and "unlawful assembly." On Aug. 5 Epton was arrested again charged with "criminal anarchy."

Grand Jury Harassment: Hearings by an all-white grand jury began in August and continued into the Spring of 1965. The prosecutor, in his search for material to indict Epton and the PLM, demanded that some 30 persons called before it give the names of friends and political associates. When they refused, a dozen were arrested and charged with criminal contempt, and sentenced to prison terms ranging from 30 days to 4 months. Other were given 30-day civil contempt sentences.

Meantime attorneys for PLM moved in federal court to enjoin the grand jury from further intimidating activity pending outcome of a \$400,000 damage suit filed in Feb. 1965 charging that the grand jury sys-

tem, the state criminal anarchy law and the "immunity from persecution" law are all unconstitutional.

The police violence in Harlem and the subsequent grand jury operations led to the formation in early 1965 of the Committee to Defend Resistance to Ghetto Life (CERGE). Its purpose is to expose the repressive policies of the New York City Administration against the people of Harlem and to defend the "Harlem Six" and the victims of the grand jury inquisition. Among its national sponsors are Carl and Anne Braden, Maxwell Geismar, Vincent Hallinan, LeRoi Jones, J. P. Morray, Truman Nelson and Paul Sweezy.

Other Northern Protests: The "riots" in Harlem were co-incident with similar outbreaks in Brooklyn's Bedford-Stuyvesant section starting July 20, and in Rochester, N.Y. on July 24-25. In August they occurred in Jersey City, Elizabeth and Paterson, N.J., and in Philadelphia. Also in Dixmoor, Ill. (a Chicago suburb), in August, and in Seaside, Ore., and Hampton Beach, N.H., in September.

Except in Harlem where they lasted several days the big city disturbances usually occurred on one or two nights and tapered off on the third night. And they all followed instances of police action against Negroes.

A summary of the 7 main "riot situations" by *U.S. News & World Report* (Sept. 9, 1964) reported 5 killed (4 in Rochester, 1 in New York), 952 injured (350 of them in Rochester and 341 in Philadelphia) and 2,484 arrested.

Background of "Riots": Fred Powledge reported in the *N.Y. Times*, Aug. 6, 1964, that in Harlem "the real theme is utter despair brought on by crowded living conditions, inadequate schools, and a firm belief that the rest of the city wishes Harlem did not exist."

The F.B.I. itself, reporting on the "racial disturbances" in 9 places, admitted that they were in areas "characterized by miserable living conditions, houses that are badly maintained, many of them rat infested and filthy. . . . Idleness, frustration, poverty and lack of opportunity are part of the atmosphere many people in these districts breathe." (*N.Y. Times*, Sept. 27, 1964.) The same report stated that, "No evidence was found that riots were organized on a national basis by any single person, group of persons, or organization."

MONROE FRAMEUP REVERSED

In Monroe, N.C., Mrs. Willie Mae Mallory, 36-year-old Negro, was sentenced on Feb. 28, 1964 to a prison term of 16 to 20 years for "kidnapping" a white couple in 1961. Also of Monroe, Richard Crowder, 21, was sentenced to two terms of 7 to 10 years and Harold Reape, 19, was sentenced to 5 to 7 years in prison on the same charges.

The one white defendant, John C. Lowry, 22, of Flushing, N.Y., re-

ceived two 3-to-5 year sentences. Superior Court Judge Walter F. Brock pronounced two concurrent sentences in each case. All 4 defendants have appealed their cases to higher courts.

In the midst of racist violence led by the Ku Klux Klan on Aug. 27, 1961, the Negro leaders had detained for a few hours a white couple who later were released unharmed.

Anti-Negro feeling ran so high in Monroe in Aug. 1961 that the Negro leader, Robert F. Williams, would almost certainly have been lynched if he had not escaped as a refugee. (See *Labor Fact Book* 16.)

Mrs. Mallory fled to Cleveland, Ohio, where she remained free for two years under a \$7,000 bail bond. But she was later extradited and brought to trial in Feb. 1964 in Monroe. The Committee to Aid the Monroe Defendants has pointed out that they were tried and convicted by an all-white jury on trumped-up charges before a court "notorious for its injustice to Negro and civil rights fighters."

On Jan. 29, 1965, the North Carolina Supreme Court reversed the decision on the ground that Negroes had been systematically excluded from the grand jury that drew the indictment. But a grand jury in Monroe, N.C. in May 1965 re-indicted Mrs. Mallory and 3 other defendants.