

THE AMERICAN DILEMMA IN MINIATURE

ALBANY, GEORGIA

An Address Delivered by the Rev. Wyatt
Tee Walker, Executive Assistant to
Martin Luther King, Jr., at A Conference
On Civil Disobedience and the American
Police Executive, March 26, 1963, the
Fifth Avenue Hotel, New York, New York

Mr. Chairman, Members of the Conference:

My assigned task is to give some analysis as a nonviolent resister to the meaning and portent of Albany, Georgia as it relates generally to the overall problem of law enforcement.

By way of introduction, let me quote from the brief preface listed on the program for this particular session:

"Albany, Georgia, has become one of the most critical cities in the nation with regard to the desegregation struggle. Here one of the largest of desegregationist demonstrations was effectively broken and the entire desegregation movement faltered."

I could not disagree more! To assert that the desegregationists demonstrations were effectively broken, would suggest to me that the Negro community had decided that segregation is not so bad after all and we are convinced that peaceful protest is not a legitimate means to bring about social change. You are sure, as I am sure, that this is not the case in Albany, Georgia.

Perhaps there is missing from what I believe to be an innocent, though naive assessment, the broad view of how sharp social change takes place and how very early it is in the whole process of democratizing America.

I sincerely believe we have the making of a social revolution on our hands. Thank God that its present (and I hope its future) posture is nonviolently oriented.

Realism impels me to admit that when one considers the broad purview of the Negro's peculiar dilemma, even in 1963, 100 years removed from "Emancipation", we are just digging in on the beaches. Albany, Georgia, is but a symptom of the early stage of the nonviolent revolution. One of the difficulties in making a final judgment on Albany or any other situation that has developed in the nonviolent arena, is that the empirical data is much too skimpy when it is measured over against the enormity of the task. At best we are like an infant on its knees, trying to learn to walk. The nonviolent revolution is not yet full-grown. I do not know whether it will ever come to adulthood. God grant that it will. Our nation needs the revolution far worse than the people who are its soldiers.

The problem in Albany, Georgia, is not so much the challenge that it poses for law enforcement officials to successfully (or unsuccessfully) deal with civil disobedience. It is much deeper than that. The problem in Albany, Georgia is the challenge it poses for law enforcement officials who must function within a system that is at bottom, unjust, immoral and illegal!

We can never escape the naked truth that Albany, Georgia's dilemma was not created by students "who came in from the outside" or Martin Luther King or a thousand other "devils" upon whom the blame has been placed. Everything would not have been all right had not these catalytic agents been present. Everything could never have been all right because every thing was basically all wrong. If Albany had not happened last summer or last winter, it would have happened this winter or this summer or some winter or some summer before too long, because the human spirit inevitably rebels against oppression and injustice. We grapple with the dilemma of Albany today because in 1962, Albany's time had come, whether it was convenient for the

governor's race in Georgia, the Kennedy Administration or our foreign policy concerns; Injustice cannot reign forever.

There is no need for me to catalogue the ills of Albany as they relate to any person socially identified as "a Negro". Housing, education, recreation libraries, public accommodations, economic exploitation - you name it, Albany had/^{it}just about as bad as any southern city its size. It could have as easily been Albany, South Carolina, Albany, Alabama, or Albany, Mississippi, or Albany, Louisiana. Sociologically, environmentally, politically, Albany is but the publicized reflection of what the South is like for any Negro. The specifics of what Albany is like has been spelled out in voluminous copy by chroniclers obviously far more wise than the speaker and certainly further removed from the geographical scene of their subject. Let us turn now to some structured analysis for the purposes of this discussion.

I. ALBANY'S UNIQUENESS TO THE NONVIOLENT STRUGGLE IN THE SOUTH

Albany, Georgia represents the outermost circle in what seems to be the concentric development of the nonviolent struggle in the South. Nonviolence was introduced onto the American scene as a mass technique in the Montgomery bus protest of 1955. In one of the most courageous instances of the Negro thrust for full emancipation, and in a community where it seemed least likely to happen, fifty-thousand Negroes under the leadership of Martin Luther King and Ralph Abernathy, withdrew their patronage from the city bus lines and literally walked for 381 days until the back of intra-city bus segregation was broken. This is for me, from my vantage point, the initial circle of development. A local community had focused its corporate protest, nonviolently, on a specific bastion of traditional segregation.

The next circle of development was the Sit-In Movement of early 1960. The Upper and Mid-South (and some Deep South spots) were swept with the contagion of lunch counter protests. Practicing the discipline of nonviolence, nearly 4000 students and a sprinkling of adults made a frontal assault, regionally, on segregated lunch counters and restaurants in chain, variety and department stores. For the most part, these were local citizens in many cities who focused their corporate protest, nonviolently, on a traditional segregated institution (eating facilities) for which there was no apparent legal redress.

The third circle of development was the Freedom Ride conceived and executed predominantly by CORE. In this instance the object under attack was inter-state bus facilities. Though the matter had been previously settled by the courts and the Interstate Commerce Commission, de jure, segregation de facto, was deeply entrenched all across the South. The Freedom Rides involved a basic Federal question that had already been solved theoretically but was largely unsolved as a matter of practice. People representing two-thirds of the states of the nation were involved and the whole country had to be concerned with bus burnings at Anniston and mob violence that erupted at Montgomery on an issue that was supposedly settled with the Irene Morgan case in 1946 and later decrees from the ICC. Here the national conscience was troubled because people from all over the country had focused their corporate protest for unencumbered bus transportation (with national implications), constitutionally granted de jure, but illegally withheld from Negroes, de facto.

Albany is seen as the fourth concentric circle of development where in numbers heretofore unseen, an assault was made on the entire system of segregation. Here, as in no other circumstance, the Albany community synthesized a variety of nonviolent

protest techniques in a broad assault on segregation. In a single campaign, they employed sit-ins, boycotts, public demonstrations, political action, law suits and overflowed the jails. I cannot say at this moment, whether this kind of attack was judicious or wise, for Albany is still very much with us. I attempt here only to record the developments as they have occurred. Albany's uniqueness is that the community rose up against no single area of segregation. They saw the whole system of inequity and injustice and decided they could bear it no longer. With what instruments they had at their disposal, they moved, demanding above all else, that change, take place. Here was a local community who focused its corporate protest through mass jail-going primarily, against the entire system of segregation.

There has been no comparable situation where this kind of blanket protest and sacrifice has been attempted. Albany still remains as the major and most recent development in the nonviolent struggle of the Negro community. Other communities, like Albany, may appear very soon. Disenchanted by the advent of "tokenism", a surge may develop to rid the individual community of segregated living altogether. For many Negroes, lunch counters one year, libraries another year, schools, a grade or two at the time, hotels and restaurants a little later, had become much too pedestrian and slow. It could very well be that in a month or a year, or two, we might have a hundred Albanys on our hands.

At a point later in this paper, an attempt will be made to assess its meaning to the community itself and to the nonviolent movement generally.

II. NONVIOLENT DIRECT ACTION AND CIVIL DISOBEDIENCE.

Albany can best be understood if it is viewed against the background of the forces that madt it what it is. Thus some word must be said about the character of nonviolent direct action and its natural child, civil disobedience.

A. Nonviolent Direct Action

Nonviolent direct action has little meaning in this context unless we understand what it seeks to do. Nonviolent direct action as it relates to the Negro in America, as it relates to the Negro in America, is his best and most effective and perhaps only revolutionary instrument. I use the word revolutionary advisedly. It is a good word. This nation could never have been born without it. It is a shame that we have let it come into disrepute. If the Negro dilemma - rather the American dilemma - is to be resolved or even diminished, we must have nothing short of a revolution. The entire structure of our nation is such that the Negro doesn't stand a chance without revolution. He has no power politically or economically save that which is marginal power. Over against this marginal power, is the behemoth of a social pathology - segregation and discrimination - that is woven into the very fabric of our nation, and we have neither the will nor the intent to really grapple with its healing. Thusly, making full circle, the Negro having only marginal power, politically and economically, must have a revolution to change his lot. The most viable instrumnt to consummate or approximate the revolution he needs is the employment of nonviolent instruments harnessed to the economic and political marginal power that he possesses. These can have measurable effect, but the revolution will be hastened by the commitment of his very life to the nonviolent instruments that are at his command. This will indeed be revolutionary for it can generate the power of moral force that may stir America to seriously set about getting her house in order.

The paragraph above in some wise explains why Albany seemed such an outlandish situation. James Baldwin deftly describes what this is like for white America in his book, The Fire, Next Time.

"Try to imagine how you would feel if you woke up one morning to find the sun shining and the stars all aflame. You would be frightened because it is out of the order of nature. Any upheaval in the universe is terrifying because it so profoundly attacks one's sense of one's own reality. Well, the black man has functioned in the white man's world as a fixed star, an immovable pillar; and he moves out of his place, heaven and earth are shaken to their foundations."

Albany and all it portends for the nation is absolutely revolutionary.

I would submit then, that of necessity, the very character of nonviolent direct action precludes tension and crisis. But it is creative tension and creative crisis out of which MUST be synthesized a resolution of the dilemma at hand. The tension and crisis is not really created by the nonviolent resisters but rather by the absence of justice which has been spot-lighted by the dramatic protest that is focused on the subject of segregation under attack.

The lack of understanding on this basic fact contributes to the misunderstanding of the true role of the militant action organizations. Some criticism has been leveled that the actionists "do not finish the job". The very character of the role they must play in severe social change precludes that they can never fully "finish the job". In the mind and image of the opposition, who inevitably must compromise their position (that of extreme advantage), the actionists are the chief protagonists, and understandably so. It is at the point of maximum crisis and tension when the opposition relents, that the militant forces must withdraw and the process of reconciliation effected by individuals and agencies who in the public mind are not quite so revolutionary. The actionists in a social revolution will never win popularity contests because they represent change and our structured society resists

change of any sort. Where change involves displacing a segment of the community from a position of extreme advantage, the resistance is far more intense.

B. Civil Disobedience

The nonviolent resister participates in civil disobedience as a means of protesting his conscienceable and moral objections to cooperating with injustice in whatever form it takes. For the foe of segregation and discrimination, it would be directed against the subtle and not-so-subtle laws that foster and perpetuate the system. The nonviolent resister cannot in all good conscience obey a law that is either immoral or unjust. He registers that protest by deliberately breaking the law and accepting the penalty willingly as a means of demonstrating his witness against its immorality and injustice in order that the public conscience might be stirred to change the law.

The question is raised, "What constitutes an immoral law?" An immoral law is any law that is out of harmony with the laws of God and mankind as they come to us through our Judeo-Christian tradition. If one is not religiously oriented, then it needs to be encouched in terms of a law that is unjust:

An unjust law is any law that is imposed on the minority that does not apply to the majority that enacted and enforces the law; further, it is unjust if the minority upon whom it is imposed had no chance to participate in the making of the law.

One additional instance prevails where the nonviolent resister practices civil disobedience - that is when the application of a just law is applied in such a discriminatory manner that its enforcement is unjust, e. g. breach of the peace statutes, anti-trespass ordinances.

Some distinction must be made between civil disobedience and uncivil disobedience.

Segregationists may choose to violate a law that they consider unjust or immoral (though in the context of Constitutional guarantees their logic at best is tortuous) but they are unwilling to accept the penalty for the violation of that law.

In Albany, Georgia, as anywhere else, the right of peaceful protest exists under the First Amendment. This is a constitutional guarantee. Because of the discriminatory application of just laws, made unjust by enforcement, the supporters of the Albany Movement practiced civil disobedience and willingly submitted to arrest and jailing. More than 1200 made their nonviolent witness against injustice and served notice on the world that they were not content with the system of segregation.

III. CHIEF LAURIE PRITCHETT

It is relevant here to set Chief Laurie Pritchett in his proper and true perspective. I must mention that Chief Pritchett is known to me personally. In some strange way, I suppose we are friends of a sort. I cannot recall a single instance of bitter words on his part or on mine. That which follows is not in any way a personal criticism of Laurie Pritchett; it is rather a sociological critique that I offer.

In many quarters, Laurie Prichett was the darling of the press. Here was a southern police chief with some degree of professional pride in police enforcement. Early in the Albany fray, he struck upon what proved to be a lasting gimmick, declaring that his "success" in handling the demonstrators stemmed from "meeting nonviolence with nonviolence." To be sure, he is the cut of man who did not stoop to police brutality in the face of the Negro "getting out of his place". But he certainly deserves no special accolade as a peace officer for refusing to succumb to the tactics of far too many southern police officials. He and his men took solemn oaths to uphold not only the laws of the city of Albany but also an oath to protect the basic rights of all citizens guaranteed under the Constitution of the United States.

Mr. Pritchett, though he declared he was meeting "nonviolence with nonviolence", only displayed his naivete of the discipline which he purportedly used. Nonviolence is a moral discipline. At its very heart is the demand that there be harmony between the means used and the ends sought. Pritchett sought to use the moral means of nonviolence to gain an immoral end - the perpetuation of the segregated system. He was doing the right thing but for the wrong reason. In the true sense of all that the word connotes, he and his men were not nonviolent; they merely abstained from police brutality. It can be further said, what other course was necessary? The peaceful protests were orderly and disciplined. All traffic signals were obeyed to the letter of the law. No unruliness occurred. The demonstrators made it perfectly clear that were willing to submit to arrest. What could possibly prompt Chief Pritchett and his men to resort to brutality? I submit there is no honor due him who merely discharges the minimum responsibility of a peace officer.

The tragedy of Laurie Pritchett lies in the fact that he was helplessly scissored between enforcing local laws to perpetuate segregation and upholding the Constitution guarantees of the First Amendment, both of which he had solemnly sworn to respect. He chose - or was ordered - to follow the course of the former. I will always believe that Chief Pritchett knows deep down in his heart that every arrest he made was unconstitutional and violated the basic rights of American citizenship. But he was trapped in the system and could not follow the dictates of his basic sense of right and decency. Not alone were the rights of 1200 Negro citizens violated but the segregated system had stripped the Chief of Police of his manhood. He was rendered powerless to act on the basis of his own convictions.

What else could he have done? He could have resigned. But you say this is not realistic. Neither is it realistic to expect Negroes in Albany nor anywhere else

to chafe much longer under almost total disfranchisement one hundred years after the Emancipation Proclamation.

Laurie Pritchett's dilemma was heightened by the "do-nothing" posture of the Federal government. No one can argue that there existed in Albany, in December 1961 and again in July and August, 1962, clear-cut violations of constitutional rights. The FBI, fully notified of nearly every move of the protestors, on hand at most of the arrests crammed their note-books full of details, made their reports to Washington, D. C. (presumably), yet, not once did the Federal government raise a finger to protect the rights of Negro citizens. The Kennedy administration, nor any other administration has irrevocably established that the laws of the nation supersede the laws of any state even when they stand in juxtaposition. And then of course, there is the coup de grace; a Federal judge threw out the appeal for an injunction against segregated public facilities on the grounds that the plaintiffs had not sufficiently proved their contention that they had been denied access on the basis of race. Albany is a tough spot for Laurie Pritchett and worse for Negroes.

IV. WHAT HAS BEEN ACCOMPLISHED

Sharp social change is slow and at times painfully slow. The shift in tactics in Albany in late summer and the lack of apparent, clear-cut visible gains were interpreted as failure. Many observers, particularly those distant from the scene, concluded that the stubborn resistance had carried the day. These somber appraisals were deeply in error.

It must always be remembered that the Albany story begins with a recalcitrant city commission that adamantly declared that they would not talk to the leaders of the Albany Movement, neither would they consider in any instance a change in the laws

and customs of their community. In short, segregation, as far as they were concerned was there to stay. They reiterated publicly and privately, an uncompromising attitude toward any change in the status quo.

The first compromise of their inflexible position was the closing of the parks and libraries to avoid demonstrations. They had cried, "segregation forever" but in the face of repeated frontal assaults, they gave up necessary municipal facilities.

The Albany Movement shifted its offensive to the courts; the same city commission that had declared never, now gallantly proclaimed, that the battle should have been waged in the courts and not in the streets. They announced that when the Court of Appeals directed integration, they would comply. Anyone knowledgeable about the Deep South knows full well that public admission to compliance with a Federal court, by avowed segregationists is a step removed from the pattern of calling for defiance of the law of the land.

The repeal of the city's segregation laws indicates clearly that the city fathers are realistically facing the legal death of segregation. The forces of segregation have compromised their inflexible position again. This compromise is of more critical import because it evidences that the city is not wont to battle in the legal arena, because the outcome, with all its costliness, is a foregone conclusion. Even the delay available through a legal skirmish seems not to warrant their time and effort.

In the wake of the legal retreat of Albany, the public library has been opened on a 30 day "trial basis", integrated. Of course there are no chairs and the reference rooms are not in use, but vertical integration has been the prelude to full integra-

gration in a dozen cities around the South. Thus the inflexible position of the power structure in Albany, Georgia has been considerably altered.

In addition to the Albany Movement's influence in altering the posture of the City Commission, some other results can be enumerated. The shift to voter registration, mentioned earlier, resulted in an increase of more than 50% in Negro voter registration. When the gubernatorial elections took place, and a bitter segregationist candidate contended with a moderate, it was conceded that Dougherty County (Albany) would vote solidly for the segregationist. It was considered a stronghold for Marvin Griffin. But the increased Negro vote united with a significant number of white voters who in the secrecy of the polling booth cast a vote for justice and sanity. To the chagrin of Griffin who had supposedly made "capital" of the "Albany mess", Dougherty County voted solidly for Carl Sanders, the moderate. The segregationist-controlled press acknowledged in humiliation that the "Negro bloc vote" had lost Albany and the county for Griffin.

More important than anything else, the nonviolent direct action thrust sensitized the Negro community to the injustice and immorality of the system of segregation. To be sure, the full demands of the Albany Movement have not yet been realized but ground has been gained. There is no full victory but neither can Albany be termed as a failure. The Negro community will never again adjust to the segregated pattern. The memory of the summer of '62 will throw a spot-light on segregation wherever it exists. Whatever your sociological position, whether your vantage point is near or far, one naked truth is clear, Albany will never be the same again. You have not heard the last of that southwest Georgia city.