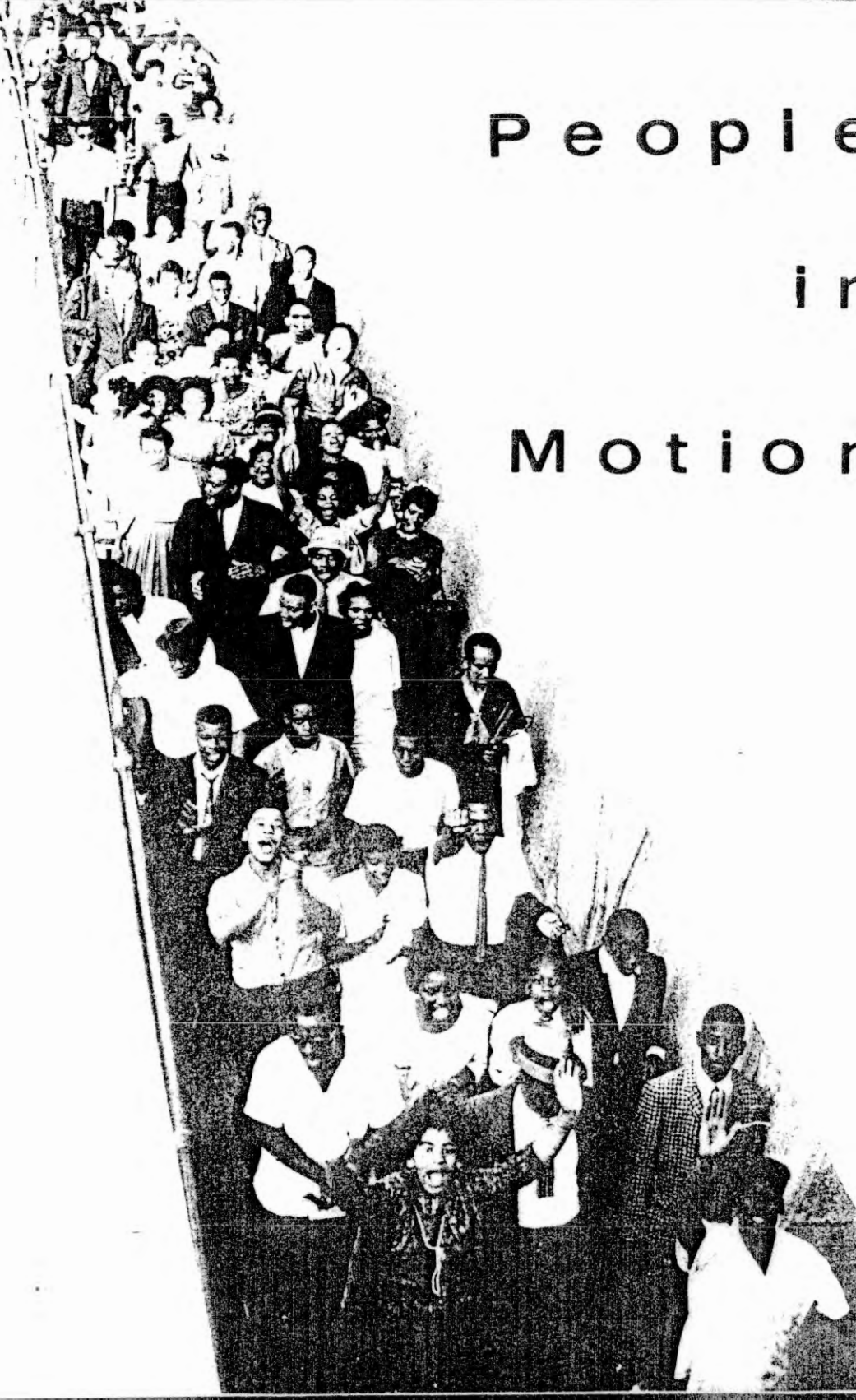


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People
in
Motion



This history of the freedom movement in Birmingham, Ala., since 1956, is published on the occasion of the tenth anniversary of the Alabama Christian Movement for Human Rights.

It is dedicated to the Rev. Fred L. Shuttlesworth, whose personal courage sparked a nonviolent revolution, to his courageous wife, Ruby, and to his four children, Patricia, Fredericka, Fred, Jr., and Carolyn. They also are a part of the struggle.

This booklet is also dedicated to the thousands who have marched for freedom in Birmingham---to those who went to jail, those who sacrificed jobs and security, those who suffered and those who died. And also to those who continue the struggle today---knowing that the ways are opening but freedom is not yet won.

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Birmingham demonstration, 1963
(UPI Photo)

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Ten years ago Birmingham, Alabama seemed the most unlikely place in America for a mass movement for freedom to develop.

Black people were terrorized by a ruthless police force, restricted by a network of regulations which even forbade members of the two races to play checkers together, and paralysed by their own fear.

This is a young city, less than 100 years old. Developed by speculators because of its mineral wealth, Birmingham's morality has always been that of a boom town or mining camp. Negroes were brought here originally to provide cheap labor for mines and for smelters, and a heritage of brutality and exploitation has been visited upon their children. Many of the city's race problems stem from the fact that it is controlled by absentee landlords---northern industrialists who have too often had no interest in making the city a human place to live.

Until recently, in short, Birmingham was a police state.

Then, in 1956, one man---the Rev. Fred L. Shuttlesworth---emerged to challenge this system, and those who enforced it. In a place like this, it probably had to start that way---with one person willing to put his body on the line and to die if need be.

"One man with courage," it is said, "is a majority." With Fred Shuttlesworth, it worked that way. His courage was contagious, and soon a small band of pioneers gathered around him. The band grew---until it became a mass movement of thousands, on the streets and in the jails, living out a commitment to the movement for human equality.

Not only Birmingham but the nation felt its impact. Without Birmingham, there might have been no Civil Rights Act of 1964 and perhaps no Voting Rights Act of 1965. And more important---without Birmingham there would have been far fewer people in motion throughout the South and the nation---challenging racism in their own communities.

The story of Birmingham and the people who made its revolution is by no means finished. Some changes have come; some of the goals for which the movement worked ten years ago have only just been realized. Others are still to be gained. There is a long road to be travelled still.

But the past ten years have proved that change is indeed possible, even in this most rigid of Southern cities. What has been learned by the Freedom movement here points the way for the next steps in Birmingham's civil rights revolution, and also provides important lessons for the whole country.

The most important lesson is that people in motion can bring change---and that without challenge there can be no change. The Birmingham story tells us too that, when challenge brings reaction from those who want to keep things as they are, this is no time to hesitate or to turn back. At every step of the way, the Birmingham movement heard the age-old warning to "go slow". It never heeded the warning because it knew that to do so would not only destroy any hope of change, but would be no real service to the white people of Birmingham, who someday must face the truth. In this unswerving position, history has thus far proved the Birmingham movement clearly correct.

At this moment, when shouts of "go slow" and "watch out for the backlash" are heard throughout our nation, this message from Birmingham is an important one to hear.



.THE REV & MRS. FRED L. SHUTTLESWORTH

*"We want a beginning now! We have already waited
100 years."*

*---Alabama Christian Movement for Human
Rights: the Statement of Principles*

In May, 1956 Alabama politicians "stood on the beach of history and tried to hold back the tide." They outlawed the National Association for the Advancement of Colored People, in a desperate attempt to halt the movement for Negro equality. But their action had precisely the opposite effect. For almost immediately the Negroes of Birmingham came together to form a movement which during the last ten years has transformed life in Birmingham---which has shaken America.

"They could outlaw an organization, but they couldn't outlaw the movement of a people determined to be free," said the Rev. Fred L. Shuttlesworth, president of the new group. And at a mass meeting called by a committee of Negro ministers, the Alabama Christian Movement for Human Rights (ACMHR) was born. Many Negroes in "the Johannesburg of North America" were afraid to join. But many others echoed the sentiments of Mrs. Rosa Walker, one of the first members: "I was frightened, but I figured we needed help to get us more jobs and better education. And we had the man here to help us."

In its original statement of principles, the ACMHR stated:

"As free and independent citizens of the United States of America, we express publicly our determination to press forward persistently for freedom and democracy, and the removal from our society of any forms of second-class citizenship. . . We Negroes shall never become enemies of the white people. But America was born in the struggle for Freedom from Tyranny and Oppression. We shall never bomb any homes or lynch any persons; but we must, because of history and the future, march to complete freedom with unbowed heads, praying hearts, and an unyielding determination."

The new organization's first efforts were directed toward getting the City of Birmingham to hire Negroes as policemen. When petitions and delegations failed, a suit was filed against the Personnel Board, demanding the right of Negroes to take examinations for all civil service jobs. But it was not to be until ten years later, after months of picketing and marching outside city hall and the county courthouse, that the first four Negro policemen were hired.

In its first year, the movement also filed suit in federal court on behalf of a Milwaukee couple arrested because they sat in the "white" waiting room in the city's railway station.

Both these actions followed the pattern of court action established by the NAACP, and indeed, suits have always been one of the ACMHR's most effective weapons. But in December 1956 the movement entered a new phase, and took on the character it was to retain---of a movement of people putting their bodies into a challenge to the system.

*The Shuttlesworth church
and home after they were
bombed December 25, 1956.*



"The Fourteenth Amendment is null and void. Southern senators were denied their right to participate in the two-thirds vote necessary for submitting the amendment to the states for ratification. Congress pulled a fast one."

*---Recorders Judge Ralph E. Parker, convicting
21 Negroes for violating bus segregation*

It was in December, 1956 that the U.S. Supreme Court ruled that bus segregation in Montgomery was illegal. This was a climax to the historic year-long Montgomery bus protest.

Immediately, the ACMHR announced that a group of its members would test segregation laws in their city by attempting to integrate Birmingham buses. The protest was scheduled for December 26.

But Christmas night, the night before the protest, the home of Rev. Shuttlesworth was bombed. The bed in which he was sleeping was directly over the spot where the bomb went off. The bed was blown to bits, but he escaped unhurt. Members of the ACMHR say he was saved to lead the movement.

Shuttlesworth took a neighbor who was hurt in the explosion to the hospital. Then he took a bus home---and he rode in front. The bombing strengthened the determination of his followers in the same way.

"On the 25th day of December, that's when they blew up Rev. Shuttlesworth's house," says Mrs. Walker. "And when I went to the meeting the next morning Rev. Shuttlesworth was the first thing I saw. And I knowed as how their house was blowed up, and I couldn't figure out how he was there. And I said then, that I'm going into it. And I went into it on that day."

More than 250 others "went into it" with Mrs. Walker. Twenty-one of them were arrested that day, one the following day. They were convicted and fined, and they then filed suit in federal court, in January, 1957.

Long after the protest was over, Shuttlesworth left his bombed house standing, in defiance of police, and people came from all over the state to see it. "The cops told me to take it down but I said, 'It's not hurting anybody. Let the people see what America is'."

In June Shuttlesworth and his wife went personally to sit in the "white only" waiting room at the railroad station and thus challenge segregation in there. Police guarded them, but they let a mob beat Lamar Weaver, a white man who sat beside them. Then the police fined Weaver---who had finally managed to get into his car and escape from the mob---for reckless driving. Weaver, a minister and steel worker, had previously been harassed so badly for supporting integrated buses that he was forced to withdraw as a candidate for city commissioner. After this episode, he left the city and went to Cincinnati.

In September the Shuttlesworths and another adult, the Rev. J. S. Phifer, went to all-white Phillips High School and attempted to enroll four Negro young people---including two daughters of the Shuttlesworths. They were met by a mob and brutally beaten. Shuttlesworth was beaten with chains and brass knuckles. One of the girls had her foot injured in a car door. Mrs. Shuttlesworth was stabbed in the hip; several years later she had to undergo an operation because of this injury. A grand jury later refused to indict three men charged with attempting to murder Shuttlesworth that day.

Later that year, he and other parents filed suit to desegregate Birmingham schools---something which was not to be realized for six years.

In June, 1958 Shuttlesworth's church was bombed again. A courageous ACMHR member saw the bomb and managed to throw it away from the building before it went off, but the repercussions damaged one side of the building.

It was a time of constant attack and no victories---a time when there seemed little hope, and summer soldiers would have deserted. But the steadily growing band of pioneers who made up the ACMHR never wavered. Each Monday night they met in a mass meeting to give each other strength. Each week they faced racist Birmingham anew---determined they would never turn back.

*"We believe it is better to walk in dignity than to
pay to ride in chains."*

---The Rev. Fred L. Shuttlesworth

In October, while the ACMHR's suit on bus segregation was still pending, the city repealed its bus segregation law. In its place they adopted a new law which did not mention race but which gave the driver police power to seat passengers---and made it a "breach of the peace" for a passenger to disobey the seat assignment ordered by the driver.

Thirteen Negroes then rode the buses again unsegregated to test the new law. They were arrested. Shuttlesworth, who did not ride, was also arrested and charged with inciting the others to ride. They were all held in jail incommunicado for five days.

On the night of the trial, while they were in jail, an orderly crowd of 5,000 Negroes gathered on the courthouse lawn in a nonviolent protest against the arrests.

The convictions were appealed and the ACMHR filed a new court action against the city and the bus company. Meanwhile Birmingham Negroes voluntarily began to stay off the buses in protest. There was no intention to conduct a boycott like the one in Montgomery, because Birmingham is so much larger. However, although local newspapers blacked out all news of it, everyone knew that the bus company's business was seriously decreased for a time. It was the first time the ACMHR had used a boycott, which was to become another of its most effective weapons.

The question of desegregating the buses wasn't over until late 1959. At that time, federal court rulings held the police were wrong in arresting Negroes who rode the buses integrated in 1958 and the Milwaukee couple who sat in the railroad station in 1959. But the segregation signs were still up, and by now ACMHR people knew that court rulings only come to life when people put their bodies on the line in a challenge to the old ways.

"We take this to mean that segregation practices by transportation companies are not enforceable," said Shuttlesworth, and the ACMHR issued a statement: "We reject any suggestion that we voluntarily accept segregation."

Twenty-five members of the ACMHR were first to integrate city buses. None was arrested. One man described his experience at a mass meeting of the ACMHR:

"Four other members and I waited at a bus stop downtown until one came along that was practically empty. We all got on and paid our fares, and sat down near the front of the bus. The driver, a great big fellow, scowled at us and said: 'You niggers get in the back.'

"None of us moved. The driver snarled this time and said: 'I told you niggers to get in the back of the bus.' Nobody moved. The driver fumbled around his seat like he was looking for a gun or some other weapon. Nobody moved.

"Then the driver got off the bus and was gone about five minutes. When he came back, he slammed the door and started the bus with a jerk. He didn't say a word.

"A white passenger walked up to him and asked: 'What did they say?' The driver answered, 'They told me to get this bus going.' The white passenger shook his head as he walked back to his seat. All he said was, 'My gosh, we've lost our states rights.'"

Another victory came when the Rev. Calvin Woods, an ACMHR leader, won an appeal on his conviction for advocating a boycott because he preached against bus segregation. The lower court had fined him \$1000 and sentenced him to six months in jail.

So now the Birmingham movement had a few victories---only a beginning, but proof it could be done. And they knew that the victory had come because people were willing to make a challenge ---willing to risk their jobs, get in the streets, go to jail and ultimately to risk their lives.

*"Damn the law. We make our own law down here."
---Police Commissioner Eugene "Bull" Connor*

The victories were important and gave people the knowledge that they do have strength, but as yet life in Birmingham had not really changed. Ever since the movement began leaders had received threats of death over the telephone and through the mail. Phones rang all night and strange cars circled the blocks where leaders of the movement lived. Every night after the first bombing in December, 1956 volunteer guards sat all night watching the Shuttlesworth house and church.

Police joined in the harassment. They tapped the telephones and searched and arrested guards at the Shuttlesworth home. Every non-white who came through his street was stopped and questioned. One man was arrested for distributing literature in alleged violation of Alabama's anti-boycott law. Each week city detectives attended the ACMHR mass meetings. They stopped and searched members leaving the meetings and charged them with blocking traffic. One man, the Rev. Charles Billups, was arrested on a charge of interfering with the entrance of a detective at a meeting; it was said he "touched the officer's coat". Later he was tied to a tree and beaten by the Ku Klux Klan. Other ACMHR members were threatened with loss of their jobs, and some were actually fired.

Then the world began to hear about Birmingham. People in the civil rights movement elsewhere began to hear with the publication in late 1959 of a widely distributed brochure "They Challenge Segregation At Its Core". The brochure, prepared by the Southern Conference Educational Fund (SCEF), told the story of the ACMHR up to that point and said prophetically: "Birmingham in a sense is the test for America's future". The nation as a whole learned about Birmingham when Harrison Salisbury wrote a two-part article about the city in the New York Times in April, 1960. He declared that fear was widespread there and that civil strife might soon break out. He said: "Every channel of communication, every medium of mutual interest, every reasoned approach, every inch of middle ground has been fragmented by the emotional dynamite of racism."

Birmingham's white power structure hastily tried to discredit the articles. Salisbury was indicted for libel by a grand jury in neighboring Bessemer, and a white Birmingham minister, executive director of the Birmingham Council on Human Relations, was jailed for refusing to hand over records of his organization and names of his supporters to the grand jury.

The ACMHR issued a statement defending Salisbury:

"Such lawsuits are intended to blind the eyes of the local public and cover up the various violations of law and abuses of citizens' rights. We see nothing false, slanderous, or calumnious in the articles in question. We submit that there is nothing of substance to be retracted in either; rather, there is much more that could be added."

The United States fifth circuit court of appeals finally dismissed the case against the Times in late 1961. A similar case arising in Montgomery, Ala. resulted in a famous free speech decision by the U.S. Supreme Court.

During 1960 and 1961 the ACMHR filed a variety of suits---to desegregate the parks and schools, open airport eating facilities, and to stop the police from attending ACMHR meetings. When the case against the police came to trial, Shuttlesworth was the lawyer. He didn't win, but the trial provided a dramatic moment as it brought face-to-face Birmingham's leading adversaries: Shuttlesworth and Police Commissioner Eugene "Bull" Connor, notorious for his enforcement of segregation. Thus one of the South's leading integrationists was in the unusual position of firing the questions while one of the South's leading segregationists was under oath on the witness stand.

Shuttlesworth made the most of it. One of the questions he asked the police commissioner was whether he had stated to a newspaper reporter: "Damn the law. We make our own law down here."

Connor said he couldn't recall it, but Shuttlesworth put on the stand a reporter for the Afro American who said he remembered it well. The judge dismissed the suit.

Bull Connor was responsible for Birmingham's first sit-in, two months after the sit-in movement began. "He bragged the sit-ins would never come to Birmingham," Shuttlesworth recalls, "and I said 'You've insulted the Negroes by saying they wouldn't dare to sit in here'. We sent two young people into five major downtown stores. They were arrested within eight minutes after they sat down." Shuttlesworth was arrested too and charged with conspiracy.

By now the movement here was apparently indestructible, but Birmingham was still a police state---and there is a well-founded theory that no police state can be broken by people within it alone. They must have help from the outside. The first dramatic outside help came to Birmingham in the spring of 1961.

"This is the greatest thing that has ever happened in Alabama and it has been good for the nation. It was a wonderful thing to see these young students --Negro and white--come, even after the mobs and the bus burning. When white and Black men are willing to be beaten up together, it is a sure sign they will soon walk together as brothers."

---The Rev. Fred L. Shuttlesworth

May 14, 1961 is known in Birmingham as Bloody Mother's Day. It was that day that two members of a group of Freedom Riders were savagely attacked by white mobs as they arrived at the Trailways bus station. One of them, James Peck of CORE, was beaten so badly that he needed 250 stitches to close his head wounds. Sixty miles east of Birmingham, in Anniston, another group of riders barely managed to escape from a bus set afire and burned by crazed mobs.

There were no police on the scene even though the riders had announced they were coming to Birmingham well in advance. Police Commissioner Bull Connor explained that

"It happened on a Mother's Day, when we try to let off as many of our policemen as possible so they can spend Mother's Day at home with their families. We got the police to the bus station as quick as we possibly could."

And he claimed that all the trouble had been caused by outsiders:

"I have said for the last twenty years that these out-of-town meddlers were going to cause bloodshed if they kept meddling in the South's business."

Alabama Governor John L. Patterson agreed with this interpretation. "It was a calculated scheme to incite our people to physical fury and unfortunately it worked," he said. The segregationist Birmingham News attacked the violence, not on moral grounds but simply because they considered it played into the hands of the integrationists:

"The Birmingham News has said repeatedly and it says it again now, that such people (the Freedom Riders) want trouble, that every riot they can bring about, every beating, every arrest, is grist to their mill . . . And The Birmingham News has said also that in facing this threat the way to resist, to combat such movement, is to figure out what such people want Deep South people to do---and then don't do it."

The police department took the hint. Two days later, when eight Negro and two white students from Nashville arrived at Birmingham on their way to Montgomery, police scattered a white mob and took them into protective custody. Seven of the Negroes were put out on the highway at the Tennessee border before dawn the next day. The other three students left on their own.

Meanwhile, the press and police had decided that Fred Shuttlesworth was responsible for the disturbances. In a front-page editorial the News said: The City of Birmingham should prosecute him. Shuttlesworth cannot be allowed to threaten this city with turmoil."

Shuttlesworth had been arrested May 17 with the Nashville group. Two days later, he was arrested again on charges of provoking the freedom ride riots, on a warrant sworn out by Connor. He was convicted but this was eventually overturned by the U.S. Supreme Court.

Meantime, the federal government enjoined Connor and Birmingham's police chief, Jamie Moore, from future failure to protect interstate travellers in their city. But within Alabama courts, Alabama justice prevailed. The nine men indicted by a grand jury on charges of burning the first freedom rider bus in Anniston were tried; only one ever served a prison sentence.

The first break in long years of silence by Birmingham's whites had come only a few months before the rides, when an interracial group, the Greater Birmingham Council on Human Relations, issued a statement urging action to improve race relations.

But the prevailing mood was still one of last-ditch defiance of integration. In a public opinion poll carried out at the time, journalist Samuel Lubell reported that although moderate forces were appearing in some states, a sizeable majority in Alabama and Mississippi said they would never accept integration. It was clear that many more challenges would be needed---even more dramatic than the Freedom Rides---before Birmingham die-hards would begin to change.

"We're going to find ourselves with a big, empty Birmingham. We won't have a damned thing, but we sure won't be integrated. Glory, glory."

---anonymous

1961 ended with victories in the courts.

A federal court ruled that the ordinance forbidding whites and Negroes to play any games together---baseball, checkers, or dominoes---was unconstitutional. Shuttlesworth described the ordinance as "the backbone of Birmingham segregation" and noted that it was the first time a local federal judge had ruled against segregation without a higher court order. "Even here, the light appears," he said.

But a court ruling ordering the desegregation of public parks was turned to defeat for both Negro and white citizens of Birmingham when the city commissioners closed down the parks. There were indications that the majority of white people opposed this. Again, a few moderate voices---the city's Chamber of Commerce, ministerial association, and other groups---spoke out. Birmingham segregationists were now facing the question other Southerners had already faced: how much were they willing to give up to preserve segregation? Even the Birmingham News called upon the people of Birmingham to think long and hard before letting the parks close:

"Negroes clearly have federal law on their side in such matters. . . . Is Birmingham to go one way---other cities over the South, Deep South, too, to go another?"

But the politicians remained adamant. They issued a formal statement calling on the citizens of Birmingham to "keep the peace" and attacking the Supreme Court's 1954 desegregation decision:

"We shall, in every lawful way we can, oppose and urge all patriotic men and women, to oppose and attempt to redress, the propagation and spreading of this spurious, false and illegal 1954 judges' fiat, masquerading in sheep's clothing as the law of the land"

The parks remained closed for three years. Even today, the swimming pools have not reopened, a monument to the self-defeating intransigence of Birmingham racism.

The parks question coincided with another controversy. Shuttlesworth and another Negro leader, the Rev. J.S. Phifer, were jailed in January, 1962 to serve sentences handed down when they defied bus segregation in 1958. Although the bus battle was now won, the U.S. Supreme Court had denied them a review because of a technical flaw in the appeal. But by now at least some national attention had begun to focus on Birmingham and its Negro citizens were no longer alone in their struggle. Protests mounted across the nation against the jailing of Shuttlesworth and Phifer. This, along with further court action, freed them after one month.



In the years immediately before the big demonstrations in Birmingham, there were at least 18 racial bombings and 50 cross-burnings in this area. No one had been prosecuted.

"If Negroes are going to heed the irresponsible and militant advice of the NAACP and CORE leaders then I say let these leaders feed them."

---Mayor Arthur Hanes

It was in early 1962 that the pressure which finally cracked the solid white wall of opposition of the city's power structure began to build up. Community leaders were still refusing even to talk to Shuttlesworth in spite of progress in the courts and mounting support from around the country---but now, a year before the giant Birmingham demonstrations, the people began to move.

In the spring, Birmingham Negro college students and the ACMHR put on an effective selective buying campaign against the downtown stores. Their demands were desegregation of public accommodations and hiring of Negro clerks. Newspapers ignored the boycott but business leaders admitted privately it hurt them badly. Negro leaders claimed it was eighty per cent effective. Connor retaliated by cutting off the city relief payments, most of which go to Negroes. In announcing the decision, Mayor Hanes reportedly remarked:

"Birmingham in cutting off the contribution to the surplus food program is demonstrating to the Negro community who their real friends and benefactors are. If the Negroes are going to heed the irresponsible and militant advice of the NAACP and CORE leaders, then I say: let these leaders feed them."

Further pressure developed in April when SNCC, SCEF and the ACMHR held the first large integrated public meeting in Birmingham in twenty-five years.

The break came when the Rev. Martin Luther King, Jr. announced plans to hold SCLC's 1962 convention in Birmingham. Albany, Ga. was still in the headlines, and in order to avert demonstrations in their own city Birmingham business leaders sent delegates to confer with SCLC. SCLC replied that whether there would be demonstrations in Birmingham was a matter for local civil rights leaders to decide. So Birmingham business leaders were forced to talk to Shuttlesworth for the first time. During these talks it became evident that the white group was split, and that the first beginnings of the moderate white force necessary to Southern social change had emerged.

Business leaders had decided that some changes would have to be made if the city's economy was to avoid drastic damage. They found themselves pitted against the city's political leaders, who were unbending in their extreme segregationist position.

The struggle between the two groups focussed on a vote in November, 1962 to decide whether to change Birmingham's form of government from commission to city council. The people voted to change to a mayor-council system. It was a clear victory for moderation and a vote against the racist policies of police commissioner Bull Connor and the other two commissioners. In the spring of 1963 Connor was defeated in the mayoralty race and moderate Alfred E. Boutwell elected. Birmingham's Negroes provided the essential majority for Boutwell. The movement had withheld demonstrations until after the election to avoid upsetting the result.



Workshop session at 1962 conference of civil rights groups that broke city's ban on integrated meetings.

*"We will turn America upside down in order that it
turn right side up."*

---The Rev. Martin Luther King, Jr.

Wherever you live, if you believe in human dignity and brotherhood, Birmingham Negroes are fighting your battle. Birmingham is the strongest bastion of segregation in America. When Equality and Right win there, the key line of segregationist defense will be breached. From then on, victory for human rights will be easier everywhere. . . . As Birmingham goes, so will go your future and the future of your children and grandchildren.

These words appeared in the brochure about Birmingham published by SCEF in 1960. In the spring of 1963, Shuttlesworth and Dr. Martin Luther King, Jr. of SCLC decided that the time had come to apply them literally---to wage a campaign to desegregate "the symbol of segregation". They felt that a direct confrontation with the power structure was necessary to realize the goals which had still only been made on paper. "Winning laws is no good if you have no officials to enforce them," Shuttlesworth said. "We decided that people in motion was the best way to correct social ills." More than a year of boycotting downtown stores had split the power structure but failed to win any meaningful concessions. Promises made by the white merchants to avert demonstrations when SCLC held its conference in Birmingham the year before had not been fulfilled. And so the people of Birmingham took to the streets.

The demonstrations began April 2 1963. During the next month Negroes staged massive marches through the downtown sections. More than 2000 children left school to join the marches and go to jail. The marchers were lashed by high pressure fire hoses, bitten by dogs, and imprisoned by the thousands---some as many as six times. The violence reached a peak on May 4 during a clash between police and demonstrators at Kelly Ingram Park.



Fire hoses did not stop the Birmingham young people who demonstrated in 1963. (UPI Photo)

"Before they went out to demonstrate they had to go in the church to write down their name and address so in case something happened we would know who they had in jail," Miss Notie B. Andrews, a long-time member of the movement, recounts. "And you'd put down 'I'll stay there five days' or 'I'll stay there ten days'. Sometimes you didn't stay there that long, but you'd say how long you were willing to stay before they came to get you.

"And some, as soon as they got out of jail, they'd go right back in there---that's the way it was happening. Because when you got out you didn't want to stay home; you wanted to take part."

It was during these demonstrations that Dr. Martin Luther King wrote his famous "Letter From Birmingham Jail", in which he states some of the most basic premises of the movement. The letter responds to the criticism of a group of churchmen:

"You deplore the demonstrations taking place in Birmingham. But your statement fails to express a similar concern for the conditions that brought about the demonstrations. . . It is unfortunate that the demonstrations are taking place in Birmingham, but it is even more unfortunate that the city's white power structure left the Negro community with no alternative.

"I cannot sit idly by in Atlanta and not be concerned by what happens in Birmingham. Injustice anywhere is a threat to Justice everywhere. . . . Whatever affects one directly, affects all indirectly. Never again can we afford to live with the narrow, provincial "outside agitator" idea. Anyone who lives inside the United States can never be considered an outsider anywhere within its bounds."

While the demonstrations went on, members of the Birmingham business community were negotiating quietly behind the scenes with Shuttlesworth and King. Demonstrations had cut their profits even more than the boycott; in any case, Birmingham's racist reputation had long been bad enough to frighten away potential investors.

Finally, May 10, a truce was reached. The moderates---who called themselves "The Senior Citizens' Committee"---accepted the movement's demands: desegregation of all public facilities in department and variety stores; equal job opportunities for Negroes; release of the 3,400 Negroes arrested during the demonstrations; hiring of at least one Negro clerk in each of five major downtown department and variety stores; and creation of a bi-racial commit-



The jails were full, so they put the demonstrators in the State Fairgrounds. (UPI Photo)

tee to work toward reopening the parks and other closed facilities. The politicians dissociated themselves from the agreement---but as the movement's demands were economic rather than political, this was not very significant. Mayor. Boutwell, who had been swept into office by Negro votes, issued a statement saying:

"I have not been a party to recent negotiations between private citizens of both races. . . . I regard it as an unwarranted presumption for anyone to infer or to suggest that there has been a truce between the City of Birmingham and any who have violated the law."

A day later, bombs hurled by white men ripped into the Birmingham home of the Rev. A.D. King, Dr. King's brother, and the Gaston motel. The Negro community, weary after weeks of demonstrations, jailings, attendance at mass meetings, mobilized once again. Angry, explosive crowds assembled at the scene of both bombings. Movement leaders managed to quiet both crowds. But later that evening units of the state police moved into the motel, blocking off the area and administering several beatings, and a riot developed. The Birmingham News buried articles about the outbreak on inside pages in an attempt to keep the people from finding out what had been going on. But across the South people found out, and it set off a chain reaction. A new wave of demonstrations sparked by Birmingham swept the South.

In the aftermath of the demonstrations the school board announced plans to expel or suspend 1,081 Negro pupils arrested during the protest. Court action to stop this was filed by the NAACP --it failed at the lower court level but was later won on appeal.

The 1963 demonstrations had ended with a great moral victory that affected the entire nation. People everywhere knew that if segregation could be challenged in Birmingham it could be challenged anywhere. New movements developed, not only in the South but across the North. President Kennedy, who in January had said he would propose no new civil rights legislation that year, reversed himself and went to Congress and the people with a call for a strong new law---the one that finally became the Civil Rights Act of 1964.

But racist Birmingham had not given up yet. Within a few months it became apparent that merchants did not intend to live up to their promise to hire Negroes--and Birmingham Negroes were destined to walk many more picket lines before they changed their minds.

"And who is really guilty? Each of us."

---Charles Morgan

Scarcely had the reverberations caused by Birmingham died out across America than a new tragedy shattered the feeling that advances were being made, and showed the nation that the progress toward civil rights was not real. On September 15, 1963, a bomb went off at the 16th Street Church, killing four 14-year-old Negro girls. Later that day, a young boy was shot by police as Negro crowds demonstrated in response to the bombing. And a sixth child was shot by two teenage white boys returning from a segregationist rally.

Charles Morgan, a white lawyer living in Birmingham, summed up the meaning of the tragedy:

"Those four little girls. . . have lived their fourteen years in a leaderless city; a city where no one accepts responsibility; where everyone wants to blame somebody else. A city with a reward fund that grew like Topsy as a sort of sacrificial offering, a balm for the conscience of the 'good people' . . . Birmingham is a city in which the major industry, operated from Pittsburgh, never tried to solve the problem. It is a city where four little Negro girls can be born into a second-class school system, live a segregated life, ghettoed into their own little neighborhoods, restricted to Negro churches, destined to ride in Negro ambulances, to Negro wards of hospitals or to a Negro cemetery. Local papers, on their front and editorial pages, call for order and then exclude their names from obituary columns.

"What's it like living in Birmingham? No one ever really has and no one will until this city becomes part of the United States.

"Birmingham isn't a dying city; it is dead."

The hope was that the martyrdom of the Negro children had finally roused the nation's conscience. The danger was that each man would think the crime was not his.

But September, 1963 was also a time of great advances for Negroes in Birmingham. For that month, six years after Shuttlesworth had first tried to register his children at Phillips High School, Negro children were admitted to three formerly all-white schools.

James Armstrong, who had been arrested at the Greyhound Terminal during the Freedom Rides and had helped James Peck of CORE to escape from white mobs, braved equally hostile crowds to enroll his two sons in Graymont Elementary School. The first day the boys --accompanied by their father and Shuttlesworth--were turned back by state troopers. The tables were turned when the Alabama National Guard, awaiting orders from Gov. Wallace to close the schools, were federalized and ordered to keep them open. The children continued to attend Graymont, passing through crowds of angry whites --including members of the National States Rights Party--every morning and afternoon.

The victory was the result of a combination of legal action and direct action---and the personal courage of many people. After Shuttlesworth was turned away from Phillips High School in 1957 he filed suit against the School Board. That case ended in the U. S. Supreme Court decision that validated the pupil placement law---a major setback for the civil rights movement. But in 1959 84 parents signed a petition urging desegregation of the schools and supporting a suit filed by James Armstrong. The signing of the petition, in itself, marked a significant stage in the development of the movement. It seems a small thing, but the courage required for a Negro to sign his name to such a document in those days was considerable. The Justice Department intervened in the suit and it was won in 1962, a year before the first Negro children integrated white schools.

Only a handful of Negro children attended formerly all-white schools that year. By 1966 there were more than 250--still a token number but proof that the rigid segregationist pattern of Birmingham had been broken.

"On the front of the courthouse it says: equal justice and equal opportunity for all men, regardless of color race or creed. But they don't do it.

---Miss Notie B. Andrews

During the last three years Birmingham has been less in the news than it once was. This does not mean that the movement has become any less active. Nor, unfortunately, does it mean that the power structure has begun to meet most of its demands. Masses of people have been demonstrating almost constantly during that time.

In October, 1963 demonstrations were resumed because city officials and business leaders had broken the agreements which ended demonstrations the previous spring. They had agreed to upgrade Negroes and to end segregation in places such as the city hall rest rooms and eating places. Although the signs came down, discrimination continued by subterfuge. "Our officials appear to think that mere discussion by an advisory committee can take the place of positive action," Shuttlesworth said.

The new demonstrations lasted for more than a year, through a winter so cold that pickets sometimes had to be relieved every fifteen minutes. Finally the 1964 Civil Rights Bill was passed. Because the people of Birmingham were already in motion they were able to make this the first city in the South to have mass tests of the new law.

Miss Notie B. Andrews described the first test:

"After the Civil Rights Bill was passed, everybody knew we was going to town that morning. All the newsfolks in town was there---looked like everybody was there. We had a news conference and then we hit the streets.

"Around two o'clock we went to all the restaurants and theaters downtown and stayed there all afternoon. Where I went, they were real nice. The other people were staring at us to

see how we would react, but we acted just like they weren't there. We stayed so long that when we got back we found Rev. Shuttlesworth was wondering whether we was in jail, because the others were all back.

"After that, every day for about two weeks we would send a different group of people, in order to let them know we really meant that we were going to come in."

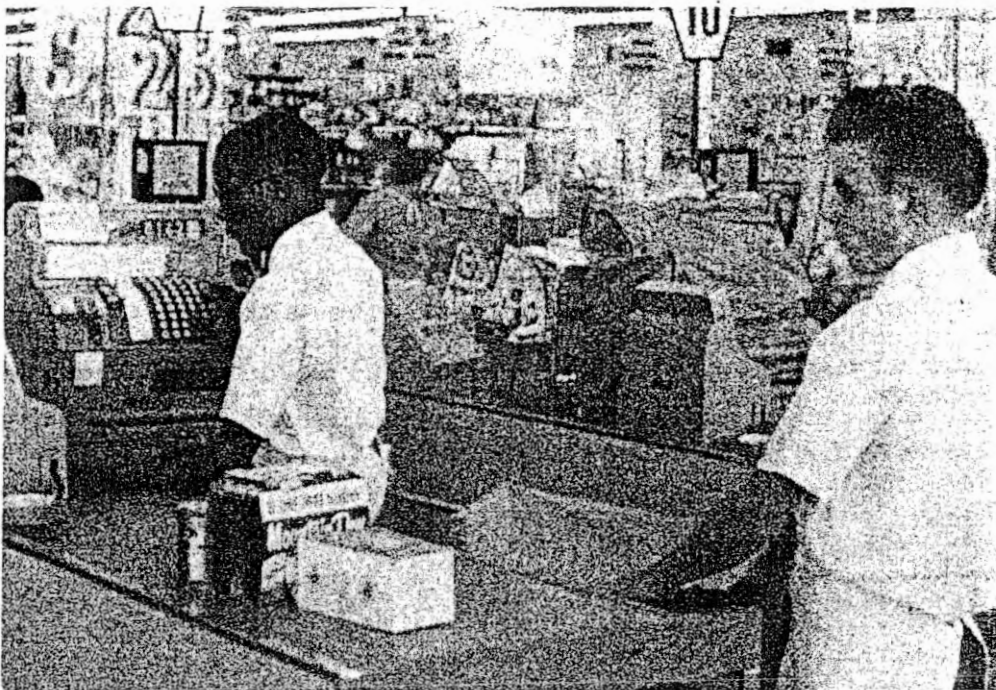
It was in this period too, that each of the five major downtown stores finally hired at least one Negro clerk.

Also that summer, papers qualifying the NAACP to resume operations in Alabama were accepted and processed by state officials ---eight years after the group had been banned, touching off the founding of the Alabama Christian Movement. Alabama officials removed the ban after the U. S. Supreme Court decided unanimously it was unconstitutional.

Now the movement turned its attention again to the police force. Renewing a campaign that had been started by Rev. Shuttlesworth ten years previously, even before the founding of the ACMHR, they demonstrated for the hiring of Negro policemen. Although the legal barriers to Negroes taking the civil service



At long last, Birmingham restaurants are integrated (SCEF photo by John Spragens)



Some jobs have opened to Negroes. The next step is to get beyond tokenism. (SCEF Photo by John Spragens)

examinations had been dropped as the result of an ACMHR suit in 1958, no Negro policemen had ever been hired. From June until December, 1965 the movement staged mass marches to the courthouse and city hall, day and night. By the time they stopped, Negro clerks were employed at the city hall. And in March the first four Negro policemen were hired.

In December, 1965 SCLC workers entered Birmingham for the first time since the 1963 demonstrations, to help the ACMHR mount a massive campaign for voter registration. At the time, out of about 120,000 eligible Negro voters in metropolitan Birmingham only about 22,000 had registered to vote.

And again, as in every battle the Negroes of Birmingham have fought, they had to take to the streets to win.

In the winter of 1965-66, officials in Birmingham were still throwing up every possible roadblock to Negroes' registering to vote. So the ACMHR demanded federal registrars. They also demanded registration in the people's neighborhoods at night, instead of during hours inconvenient to working people. "We want the courthouse brought to the people," Shuttlesworth said.

They marched again in the streets---and they won these demands. By May it was estimated that as many as 50,000 new Negro voters had been registered.

The marchers were also demanding employment of Negroes in various civil service positions in the city and county governments.

While this drive was on, employees at the Liberty Grocery Store manhandled some Negro customers. The ACMHR immediately rallied to support the people, and began to picket outside the store, which had no Negro employees although its business came mainly from Negroes.

It was the first time Birmingham ministers had really given their support to the movement; at one point, between 30 and 40 of them marched and picketed outside the store. Eventually, the movement was limited by an injunction to twelve pickets at a time.

Picketing outside Liberty lasted almost two months. Meantime nightly meetings and marches to the courthouse and city hall were also taking place. After one of these meetings, a group of people marched down to the store. Five of them were shot from a car by a white man, who later pleaded self defense and was not prosecuted.

The action had begun as a protest against the treatment of the Negro customers and a demand for human justice and dignity. Later, the ACMHR demanded that the company hire Negro security guards and when this demand was met the picketing ended.

With the rapid increase of Negro voter registration, the movement here found itself facing the question of how to organize and use their vote effectively to improve the lives of the people. That question has not been answered entirely yet, but one very historic thing happened during the primary elections in the spring of 1966. For the first time since Reconstruction white candidates actively sought the Negro vote in Alabama. Richmond Flowers, moderate candidate for governor, addressed a meeting of the ACMHR. Even Al Lingö, who as head of the state police had attacked Negroes only a year earlier, openly solicited the votes of black people.

Reaction swept into office with the election of Mrs. George Wallace for Governor, but this did not alter the fact of long-range significance: that the Negro vote in Birmingham, as well as elsewhere in Alabama was finally becoming a factor to be reckoned with and was growing all the time.

"The past is prologue....."

The Birmingham freedom movement today, in late 1966, stands like the movement in many places at a crossroads.

When one considers the original demands of the Alabama Christian Movement for Human Rights when it formed in 1956, a remarkable number of them have been at least partially achieved. The buses are desegregated, and so are the parks with the shameful exception of the closed swimming pools. School segregation has been broken, even though integration is still token. Public eating places are integrated if one can afford to eat in them; Negro police have been hired, although in token numbers. At least a few Negroes are working in jobs never open to them before; the bars to Negro voter registration have been torn down.

And, all important, white police cannot with impunity terrorize and brutalize Negroes on the streets and in their homes as they once could and did in Birmingham.

But no one here feels that the struggle is over or that the perfect society has arrived. The integration that exists is still token, for the great masses of black people jobs are still non-existent or at the lowest rungs of the economic ladder. And the old and dilapidated houses along the streets of Birmingham's inner city stand as a reminder that this city has slum ghettos as depressed as any in the South or the nation.

In short, the Birmingham movement stands before the problem that the movement faces everywhere: the fact that our society simply has not found the way to provide great numbers of its citizens with a chance for a decent life.

Unfortunately, the white people of Birmingham---and elsewhere---have not faced this problem in its magnitude. A small minority of Birmingham whites now identify with the movement, but the "moderate" forces that have agreed to concessions seem to think more of peace than of justice. They have tried to do as little as possible and still keep down turmoil. No sizeable body of white people has yet even begun to face the need for far-reaching change.

Thus it is clear that the Birmingham movement has a long road ahead. For that reason, it may be that the most important past events are not the surface inroads against segregation but the changes in people within the movement. The fear that was once a way of life in Birmingham has been conquered and it will never return. People know their own strength, they know how to move---and they have learned that all-important lesson: "without challenge there is no change."

Talk of a "white backlash" has little effect on the movement here; they've heard it all before. Everytime they moved over the past decade they were told they were setting their cause back---yet each time they moved they won the immediate objective they sought, and Birmingham as well as the movement was the better for it.

Future tactics of the movement here will probably include all those tried and found useful in the past---petitions, demonstrations, economic boycotts---plus a real concerted effort to organize politically on a precinct basis. This, movement leaders know, is necessary if the newly-won vote is to become a weapon in the hands of the oppressed and not a tool by which old-line politicians can control them.

The goals ahead will be both economic and political: an end to tokenism, decent jobs and income for all, adequate housing and education and medical care and recreation, and a voice in the decision-making process.

It was the civil rights movement of the nation that forced our society to look at hunger, deprivation and poverty among American citizens, both white and black. The results have been such measures as the federal poverty program, federal aid to education, medicare, etc. The thing wrong with these programs is simply that they don't go far enough---they only scratch the surface and the deepest needs of people remain unmet.

It may be that it will be the civil rights movement again that can go on from here and force the nation to find the bigger answers---answers that can rebuild its cities, re-make its educational system, bring modern miracles of health and medicine to all, revitalize its cultural life, and provide a decent income for each citizen.

It may be that in seeking these goals for itself the Birmingham movement---which once before moved the whole country forward---will awaken the nation once again.



A slum ghetto in Birmingham stands as a silent reminder that many struggles still lie ahead for those who would make this a city of true freedom. The Alabama Christian Movement for Human Rights now turns its eyes to its second decade, believing as it always has that "without challenge there is no change." (SCEF Photo by John Spragens, Jr.)

P E O P L E A C R O S S T H E N A T I O N

marched in support
when the people of Birmingham marched,
a nation aroused, a nation that suddenly
cared about its people, a nation that
would never be quite the same again.....

*A support demonstration
in San Francisco, May, 1963
(UPI Photo)*

