



DAVID MOSS
DEAN GRODZINS

Martin Luther King and the Struggle for Black Voting Rights

On Tuesday afternoon, March 9, 1965, Martin Luther King Jr. led more than 2,000 protestors—blacks and whites, men in jackets and ties, women in dresses—on a march from Brown Chapel, an African Methodist Episcopal church in Selma, Alabama, to the Edmund Pettus Bridge, spanning the Alabama River, a short distance away. He faced an agonizing decision about whether to defy a federal court order by crossing the bridge.¹

The 36-year-old Baptist minister and director of the Southern Christian Leadership Conference (SCLC) had recently won the Nobel Peace Prize for his leadership of the civil rights movement in the United States. The movement aimed to overturn state laws and customs requiring racial segregation in the South, as well as state laws and practices that disenfranchised black voters there. King had helped launch the movement in 1955 as the spokesman for a boycott against segregated buses in Montgomery, the state capital of Alabama, and had brought the segregation issue unprecedented attention with a campaign of mass nonviolent civil disobedience in Birmingham, Alabama, in 1963. In the summer of 1964 Congress had enacted a sweeping Civil Rights Act, largely banning legally enforced segregation. Yet suppression of black voters remained pervasive across the South, leading King to take the SCLC to Selma in January 1965 to start a campaign for voting rights.

Central to the campaign was a series of illegal but nonviolent protest marches. In February one of these marches had been broken up by white rioters, local lawmen (including Sheriff Jim Clark), and state troopers, one of whom had shot and killed a marcher, Jimmie Lee Jackson. In response, the SCLC had announced a three-day protest march from Brown Chapel, their Selma headquarters, to the Alabama state capitol building in Montgomery, more than fifty miles away down Highway 80. The governor, George Wallace, who had risen to national fame as an opponent of the civil rights movement, banned the march. The leaders of the SCLC decided to defy his order, expecting that marchers would be arrested at the Pettus Bridge, which connected downtown Selma to the highway.

On March 7, 1965, a Sunday, 600 well-dressed marchers left the chapel in two orderly lines. King had followed events from Atlanta, Georgia, where he was preaching to his home church. When the marchers crossed the bridge, they found their way blocked by Sheriff Clark, his men, and state troopers. A trooper ordered the protestors to disperse. When they did not immediately do so, the troopers and lawmen advanced. Suddenly they charged, assaulting the marchers with clubs, cattle prods, and tear

Professor David Moss and Research Associate Dean Grodzins prepared this case. This case was developed from published sources. Funding for the development of this case was provided by Harvard Business School and not by the company. HBS cases are developed solely as the basis for class discussion. Cases are not intended to serve as endorsements, sources of primary data, or illustrations of effective or ineffective management.

Copyright © 2016 President and Fellows of Harvard College. To order copies or request permission to reproduce materials, call 1-800-545-7685, write Harvard Business School Publishing, Boston, MA 02163, or go to www.hbsp.harvard.edu. This publication may not be digitized, photocopied, or otherwise reproduced, posted, or transmitted, without the permission of Harvard Business School.

gas, and then chased those who retreated through the neighborhood around Brown Chapel, beating any black person they encountered. Many white onlookers cheered.

Television cameras had recorded everything. That evening all three national networks, ABC, NBC, and CBS, broadcast the footage. ABC's special report on the events in Alabama interrupted the television premier of an Oscar-nominated film, *Judgment at Nuremberg* (1961), an all-star drama about the Allied military trials of German judges who had enforced race-based laws against Jews during the Holocaust.

By midnight King had sent telegrams all over the country, announcing that he would personally lead another march from Selma on Tuesday and asking "clergy of all faiths" to join him.² The next day, Monday, an estimated 800 activists, many of them clergy and divinity students, both black and white, rushed to Selma by car, bus, and plane from as far away as Massachusetts and California. Sympathy marches were held across the country. In Washington, D.C., students occupied the corridor outside the offices of U.S. Attorney General Nicholas Katzenbach, demanding federal intervention; TV cameras filmed him in shirtsleeves, on one knee, pleading with them, unsuccessfully, to leave. Meanwhile, SCLC lawyers petitioned Alabama federal district judge Frank Johnson, who was seen as sympathetic to the civil rights movement, for an injunction to prevent state and local authorities from stopping the next march.

Judge Johnson refused to issue an injunction without a hearing, which he scheduled for Thursday, and instructed the SCLC to postpone the march. Also, President Lyndon Johnson let King know through intermediaries that he did not want him to march. The president, who had shepherded the Civil Rights Act through Congress and was now drafting a voting rights bill, feared that a new march might provoke more violence, which could threaten the prospects of voting rights legislation. King did not want to alienate the president, a critical ally, but King's advisors told him that feelings were now running so high among his supporters in Selma that they might defy him if he tried to cancel or postpone the march. King decided to proceed with the march as planned.

On Monday night he spoke to a rally at Brown Chapel, celebrating the clergy who had just arrived in town and urging everyone to be brave the next day. Later, at the home of a Selma supporter where he was staying, he received a midnight phone call from Attorney General Katzenbach, who urged him not to march. King argued with Katzenbach, finally telling him: "But Mr. Attorney General, you have not been a black man in America for three hundred years."³ After the call, however, King and his advisors engaged in a long, inconclusive debate over to what to do. King had slept only a few hours when he was awakened, at dawn, by news that two of President Johnson's men were at the front door. One was the assistant attorney general for civil rights, John Doar; the other, who had been flown in overnight on the president's orders by military plane from Washington, was former Florida governor Le Roy Collins, who had been appointed the first director of the new Community Relations Service, created to mediate racial conflicts. King, still in his pajamas, met with them at the dining room table.

They informed him that Judge Johnson had issued an injunction against the march. King had previously defied the injunctions of state and local judges, but never of a federal judge. The modern civil rights movement had always depended on the support of the federal courts. Collins suggested that King might not violate the terms of the injunction if he led marchers to the bridge but then, instead of crossing it, turned them around and led them back to the chapel. He said he would ask Clark, as well as the commander of the state troopers, Al Lingo, to agree to this plan. King gave him permission to try.

Hours later, King, at the chapel, had still not heard from Collins, and only his advisors as yet knew about the turnaround possibility. King told the crowd to "put on their walking shoes" and started them

toward the bridge.⁴ There, as before, the troopers and lawmen waited. According to at least one report, marchers began singing a freedom song, “Ain’t Gonna Let Nobody Turn Me ‘Round.”⁵ The TV cameras were again rolling. King now had to decide whether to try to turn the march around at the bridge, or to push forward as his fellow marchers were expecting.

The Rise and Fall of Black Voting in the South, 1867-1908

The year 1865 marked the victory of the Union in the Civil War and the ratification of the Thirteenth Amendment to the Constitution, abolishing slavery. By 1870 black freedmen were voting across the South. “Alone among the nations that abolished slavery in the nineteenth century,” writes historian Eric Foner, “the United States, within a few years of emancipation, clothed its former slaves with citizenship rights equal to those of whites.”⁶ Before the war, 90 percent of U.S. blacks had been slaves, and only a few northern states allowed free blacks to vote; between 1799 and 1838, black voting was outlawed in eight states that had formerly allowed it.⁷ From the late 1840s through 1865, activists, some eventually affiliated with the self-styled “Radical” wing of the antislavery Republican Party, made many attempts to amend northern state constitutions to allow black voting, but these efforts were always defeated. In 1867, one year after the Republican-controlled Congress had approved both the Fourteenth Amendment (which declared *all* persons born in the United States to be citizens) and the first-ever Civil Rights Act (which offered former slaves equal protection of the law), white voters in Kansas, Minnesota, and Ohio rejected equal-suffrage amendments to their state constitutions.⁸

Yet change was still palpable. During the war, sentiment among northern whites had grown to favor suffrage for black Union veterans; and after the war Radical Republicans, who had become the dominant force in their party, concluded that all freedmen must be given the vote to protect their new citizenship rights and to stop Democrats, especially former Confederates, from regaining power in the South. With the 1867 Reconstruction Act, Radicals forced the former rebel states to write new constitutions, and mandated that there be no color restriction on who could vote for or serve as delegates to the constitutional conventions. In huge numbers, ex-slaves participated in these special elections, and 265 were chosen as delegates to the various conventions—among the first black elected officials in American history. The new state constitutions that they helped to write eliminated race restrictions on voting. Black voters went on to form the backbone of the Republican Party in the South, and southern black Republican leaders were elected to state and local office and to Congress.⁹

The new black voters were mostly impoverished, unskilled, and illiterate; as slaves they had been taught never to challenge their masters’ authority and had been subjected to cruel punishments if they dared to try. Yet now they seized the opportunity not only to vote, but to vote against their former masters, who were almost all Democrats. The freedmen felt empowered by their experiences in the Civil War, when tens of thousands had fled their masters, many joining the Union army, and its immediate aftermath, when they loosened many brutal restrictions that had constrained their lives as slaves. They “held mass meetings and religious services unrestrained by white surveillance, acquired dogs, guns, and liquor (all barred to them under slavery), and refused to yield the sidewalks to whites.” No longer confined to their masters’ plantations, they became mobile—“it seemed that half the South’s black population took to the roads”—with many resettling permanently in new homes. They withdrew from the white churches they had been forced to attend and set up their own congregations; they founded their own voluntary associations; they crowded into the freedmen’s schools set up first by northern missionaries and then by the federal government. Freedmen also sought to obtain their own farms. Most, being too poor to buy land outright, arranged to rent it, usually in return for part of the cotton they grew. This system of “sharecropping” took hold across the former plantation areas of the

South. In this time of revolutionary achievements, large numbers of ex-slaves came to believe they could exercise independent political power and acted on that belief.¹⁰

Meanwhile, in 1870 the states ratified the Republican-sponsored Fifteenth Amendment to the U.S. Constitution, which declared that the “right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.” Again, Republicans in Washington, D.C., responded forcefully when southern Democrats formed vigilante groups, such as the Ku Klux Klan (KKK), which in 1869–1870 began a campaign of terror against Republican officials and voters, white as well as black, across the South. The violence provoked Republicans in Congress to approve the Enforcement Acts (1870–1871), which not only banned Klan activity but declared that “all citizens of the United States who are or shall be otherwise qualified by law to vote at any election . . . shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude.” The legislation also made illegal any attempt to use “force, intimidation, or threat to prevent any citizen of the United States lawfully entitled to vote from giving his support or advocacy in a lawful manner towards or in favor of the election of any lawfully qualified person as an elector of President or Vice-President of the United States, or as a member of the Congress of the United States.”¹¹ At first, the federal government vigorously enforced these laws, with more than a thousand prosecutions in 1873.¹²

Nonetheless, between 1869 and 1877, southern Democrats, promising to “redeem” the South from “Negro rule,” solidified support from poor southern whites and took control of every former rebel state. They subsequently enacted laws transferring power to appoint election supervisors from county governments, where it had traditionally resided, to the governor, a state board, or the state legislature, which effectively put white Democrats in charge of supervising all elections, even in majority-black Republican districts. Electoral fraud in these districts became endemic. Democratic operatives stuffed ballot boxes with fake Democratic ballots, while destroying Republican ballots after they were cast or, in some cases, simply tallying them as Democratic. Collectively these methods were known as “counting out” black votes. Formerly solid Republican districts soon crumbled, all across the South. An example involved the “Black Belt” of southern Alabama, where Montgomery, Birmingham, and Selma were all located. The name of the region was inspired by the color of its soil, but during Reconstruction it came to refer to the color of its voters.¹³ Soon after Alabama was “redeemed” in 1874, the Black Belt began producing majorities for the “white man’s party,” the Democrats.¹⁴

Meanwhile, between 1878 and 1890 the number of federal prosecutions for violations of the voting rights provisions of the Enforcement Acts fell to an average of fewer than one hundred per year. The decline resulted from many causes: the electoral recovery of the Democratic Party to national parity with the Republicans; the shift of public concern in many quarters away from civil rights and toward economic issues; and the growing sentiment among northern whites that conflict with the South had gone on long enough. Above all, a growing number of northern Republican elites, overwhelmingly white, Protestant, and middle class or affluent, grew skeptical about the value of universal suffrage. Writes historian Alex Keyssar, “The key precipitants of this ideological swing . . . resided . . . in the dramatic—even shocking—transformations in [northern] economic and social life that inescapably reverberated into politics.”¹⁵

Northern cities were experiencing explosive growth, prompted by industrialization and the migration of millions of southern and eastern Europeans to the United States, “propertyless workers . . . who did not speak English, whose cultures were alien, and most of whom were Catholic or Jewish. . . . Poor, uneducated, ignorant of American traditions, the foreign-born men peopling the nation’s industries . . . [lacked, their critics charged,] the judgment, knowledge, and commitment to American values necessary for salutary participation in elections.”¹⁶ Besides, most of these immigrants

voted Democratic. Northern Republicans began enacting laws restricting immigrant suffrage in their home states by various means, including poll taxes and literacy tests. They therefore could not easily oppose southern Democrats using similar techniques to disenfranchise black Republicans. In 1892, Democrats won control of both houses of Congress and the presidency for the first time since the Civil War and seized the opportunity to wipe “every trace of the reconstruction measures . . . from the statute books” by repealing the Enforcement Acts. Northern Republicans mostly put up little resistance, believing that black voting was a lost cause.¹⁷

Some black Republicans did keep fighting. Among them were politicians, ministers, educators, businessmen, and editors of black newspapers that had been founded in towns across the South. The existence of this mostly urban middle class showed the strides some southern blacks had made in wealth and education since Emancipation. Yet the majority of blacks remained rural, poor, and illiterate. They knew that if they voted Republican, Democrats would “count out” their votes. Their political despair was reinforced by the growing power of “the man” – the white landowner, the white sheriff, the white official – over rural black life. Sharecropping became a trap as tenants often found themselves owing far more to their landlords than they could ever repay, and many were forced into debt peonage. Reinforcing white power was the system of convict leasing, which became so pervasive in the South by 1890 that the region had “no prisons to speak of.”¹⁸ The system proved highly profitable for companies that rented convict workers from the state at rock-bottom prices and for sheriffs in black districts, who were paid for each convict they leased. A sheriff could arrest a black laborer on a vague charge – “vagrancy” was common – then have him subjected to a cursory hearing before a justice of the peace, often a crony or relative of the sheriff, with no lawyers present. The prisoner would be ordered to pay a fine and his court costs. Unable to do so, he would be required to work off the charge and shipped to a logging camp or a coal mine, where his white boss had little incentive to treat him decently, because his labor was so cheap, and could extend his sentence almost at will by fining him for alleged infractions, which meant more money to work off. Fear of being caught in this system, which one recent scholar has called “slavery by another name,” cast a pall of fear over black rural districts. It was only thickened by the threat of lynching, which reached its peak in the South in the 1890s, with scores of black men murdered each year.¹⁹ Perpetrators were rarely arrested, and, if arrested, were brought before “lily white” juries, who almost never voted to convict.²⁰

It was within this context that southern Democrats launched a campaign to “eliminate” the black vote. The process began in 1889–1890, when Tennessee, Arkansas, and Florida approved new election laws, and continued through a series of state constitutional conventions called specifically to effect disenfranchisement: Mississippi (1890), Arkansas (1891), South Carolina (1895), Louisiana (1898), North Carolina (1900), Alabama (1901), Texas (1901), Virginia (1902), and Georgia (1908). The announced goals of this movement were, first, to end the threat of “Negro domination” and guarantee “white supremacy,” and second, to end political corruption. As the *Richmond [Virginia] Times* urged in 1898, “If we disfranchise the great body of Negroes, let us do it openly and above board and let there be an end to all sorts of jugglery.” Or as an Alabama Democratic congressman, representing a Black Belt district, confessed in a speech to the disenfranchisement convention in his state, he had always told his operatives “to go to it, boys, count [black votes] out. We had to do it. Unfortunately, I say it was a necessity. We could not help ourselves. We had to do it or do worse. But we have gone on from bad to worse until it has become a great evil. . . . White men have gotten to cheating each other until we don’t have any honest elections. That is the trouble we have to grapple with.”²¹

Because measures explicitly banning black voting would contradict the language of the Fifteenth Amendment and possibly compel federal courts to intervene, proponents of black disenfranchisement devised voting requirements that were nominally color-blind but in effect discriminated on the basis of race.²² For example, the requirement that registered voters pay a poll tax to stay on the voting rolls

disproportionately affected blacks, because they were, on average, significantly poorer than whites. Also, as black illiteracy was higher than white, new literacy requirements on voting hit blacks hard. In some cases, actual tests were administered to separate the literate from the illiterate. A more indirect technique was to implement the “Australian” ballot. Through most of the nineteenth century, each political party printed its own ballots, listing only its own candidates. As a result, a party-line voter did not need to be able to read the ballot to cast it. By contrast, the “Australian” ballot, which was printed by the state and listed all of the candidates for each office, had to be read to be used. Democrats in Tennessee, who enacted the first southern Australian ballot law in 1889, initially implemented it only in predominantly black districts.²³

No matter how cleverly these measures were weighted against black voters, however, they inevitably disenfranchised many whites as well. Democrats, worried about alienating their political base, devised schemes to protect white voters. Among these were “grandfather clauses.” Louisiana enacted the first in 1898, and it was imitated, with variants, in many other states. The Louisiana version exempted anyone descended from a man who could vote on January 1, 1867 (when the electorate was all white), from the new literacy and poll tax requirements. Yet some proponents of disenfranchisement warned that grandfather clauses would not survive a challenge in federal court, and the U.S. Supreme Court ruled in 1915 that they violated the Fifteenth Amendment.²⁴

Ultimately, the most effective method of protecting white voters and discouraging black ones was to give election registrars, all white Democrats, wide discretion over how to do their jobs. For instance, registrars were asked to ensure that voters were literate enough to “understand” the privileges and nature of citizenship, but they were allowed to improvise their tests and standards on a case-by-case basis. Such improvisation proved highly discriminatory. Alabama registrars turned away one black applicant because he declined to explain “the differences of Jeffersonian democracy and the Calhoun principles as compared to the Monroe Doctrine.”²⁵

Black Republicans repeatedly challenged the new registration procedures in federal court. The most important case was that of Jackson Giles, a U.S. postal clerk in Montgomery, Alabama, who had voted for decades until turned away by his County Board of Registrars in 1902. Giles petitioned a federal district court, alleging that his Fifteenth Amendment rights had been violated and asking it to order the board to register him and 5,000 other blacks. When the court ruled that it could not hear the petition, he appealed to the U.S. Supreme Court. In 1903 the high court ruled that if the registration requirements were, as Giles alleged, unconstitutional, then the solution was not for courts to force blacks to be registered under them; rather, Giles should seek “political” relief from the Alabama legislature or Congress. With no realistic possibility of obtaining such relief, black leaders denounced the ruling, comparing it to the proslavery *Dred Scott* decision of 1857.²⁶

Although black southerners were not the only victims of the disenfranchisement movement—significant numbers of poor whites also lost the right to vote—the effect on the black electorate was grossly disproportionate. In Virginia, the number of black voters was reduced from 147,000 to 21,000; in Georgia, from 68,000 to 11,285; in Louisiana, from 130,344 to 5,320; in the fourteen “Black Belt” counties of Alabama, from 79,311 to 1,081. In 1893, a few years after disenfranchisement in Mississippi, where nearly 748,000 blacks lived, constituting more than 58 percent of the total state population, only 8,965 black voters remained. Without black votes to sustain them, the remaining black elected officials in the South quickly lost their positions. The last black congressman, George Henry White, Republican of North Carolina, left office in 1901, shortly after his state ratified its disenfranchising constitution. No African American would serve in Congress for another twenty-eight years.²⁷

The capstone of disenfranchisement was the “white primary.” Primary elections were an innovation of the direct democracy movement, which flourished during the Progressive Era, in the first two

decades of the twentieth century. Progressive reformers championed direct primaries as a method to take party nominations out of the hands of “corrupt bosses,” who controlled party nominating conventions, and give them to the citizenry. Between 1902 and 1908, Democrats in most southern states instituted direct primary systems, but with one distinctive feature: they did not allow blacks to vote in them. Democrats claimed that their white primaries were not inconsistent with the Fifteenth Amendment, because the amendment only guaranteed the right of blacks to vote in general elections, not to participate in the private, internal administration of a political party. In most states outside of the South, primaries were considered public elections and paid for by taxpayers. Southern Democrats, wishing to emphasize that their primaries were private, paid for them with party funds. Decades would pass before the Supreme Court decided that white primaries were unconstitutional.²⁸ Meanwhile, as the Republican Party was now moribund in the South, and Democratic nominees always won general elections there, white primaries ensured that even those few blacks who still voted would never affect an election outcome.

Jim Crow

In the same era as disenfranchisement, southern states legally enhanced racial segregation, a system that came to be known, after a black minstrel character, as “Jim Crow.” During slavery, southern blacks and whites had lived and worked in intimate proximity. After emancipation the races in the South started to separate. Blacks withdrew from white churches to set up their own congregations, for example, while white leaders insisted that white and black children must not share schools; white businessmen, acting on their private initiative, segregated most hotels, theaters, and restaurants; and white homeowners increasingly blocked blacks from buying houses in their neighborhoods. “Over a period of about a half century,” writes one historian, “the implications of segregation worked themselves into the interstices of southern society.”²⁹

In 1890, southern Democratic state legislatures began enacting “separate coach” laws, authorizing or requiring cities to segregate streetcars. These laws seemed directed at urban, middle-class blacks, who often protested, writing petitions, holding mass meetings, and, in at least twenty-seven southern cities, organizing streetcar boycotts. The protests never did more, however, than delay the implementation of the new rules.³⁰ Black leaders also launched a series of suits in federal court, arguing that Jim Crow streetcars violated the equal protection provisions of the Fourteenth Amendment. The U.S. Supreme Court rejected this claim in 1896. In the case of *Plessy v. Ferguson*, the court ruled that the “enforced separation of the two races” did not stamp “the colored race with a badge of inferiority” and that “separate but equal” facilities were therefore constitutional.³¹

In reality, “colored” facilities under Jim Crow were always inferior to “white” ones. Moreover, Jim Crow practices soon went beyond the law but were routinely enforced as if they were law. In 1955, for example, a black woman, Mrs. Rosa Parks, was arrested on a segregated bus in Montgomery, Alabama, for refusing to obey the order of the white driver to yield her seat to a white passenger and, as no other black seat was available, stand in the aisle. Yet the city ordinance governing bus segregation in Montgomery required that she yield her seat to whites only if she could move to a free black seat.³² The police jailed Parks anyway. Whites in the South had grown accustomed to enforcing Jim Crow however they saw fit. Blacks had been powerless to stop them and the federal government had been unwilling to intervene. By 1955, however, this situation was changing.

The Changing Environment for Civil Rights, 1909-1960

Although Jim Crow remained solidly in place over the first half of the twentieth century, blacks themselves moved – to the cities and to the North. In 1910, 73 percent of U.S. blacks and 51 percent of whites lived in rural areas; by 1960, 73 percent of blacks were urban, as opposed to 70 percent of whites. Meanwhile, the share of blacks living in the South fell from 89 percent to 60 percent.³³

Southern black urbanization resulted in part from a shift in regional agriculture away from small cotton farms, a process accelerated by the boll weevil. Between 1890 and 1930, this beetle, whose larvae fed on cotton, spread from Mexico across the southeastern United States, devastating cotton production in many areas. The weevil arrived in Dallas County, Alabama, where Selma was located, around 1910; production fell from 40,000 bales that year to 16,400 in 1920. Countless tenants, already deep in debt, could not make their payments at all. Many landlords, meanwhile, found they could make higher profits by evicting their tenants and moving to larger-scale farming (involving mechanization and pesticides), or by shifting resources to raise cattle. At the same time, southern industry began to grow, especially during the Second World War, attracting black farmworkers to the cities. The resulting shifts can be seen in Dallas County: in 1930 more than half the land was still being cultivated by black tenants; by 1960, the figure had fallen to 9 percent. In southern cities, most blacks were limited to unskilled work and could not vote, but they still had the numbers and means to form large churches and support independent black business and cultural institutions. There were other positive developments as well, many linked to rising black economic independence and literacy. Convict leasing had largely disappeared by the 1930s, and debt peonage was suppressed by the federal government as it mobilized the economy for World War II (1941–1945). Lynchings of blacks fell from an average of ninety-five a year in the 1890–1910 era, to three a year between 1940 and 1949, to zero between 1952 and 1954.³⁴

The black exodus from the South, meanwhile, began with middle-class leaders disgusted by disenfranchisement, Jim Crow, and lynching. Congressman White, for example, decided to leave his native state for the North, declaring, “I cannot live in North Carolina and be a man and be treated as a man.”³⁵ What scholars call the “Great Migration,” however, began a little later. The outbreak of the First World War, in 1914, largely stopped European immigration, and the U.S. entry into the war, in 1917, led to an economic boom. Yet millions of white northerners – as well as hundreds of thousands of blacks – were joining or being drafted into the military. Facing severe labor shortages, northern industrialists began recruiting southern black workers, offering higher wages and even in some cases promising to pay for or subsidize their trips north. Many blacks seized the opportunity and, once settled in their new homes, usually in large northern cities, were typically joined by family members. Between 1915 and 1920, more than half a million black Americans left the South, and some 900,000 more left by 1930. By 1940 the four largest black communities in the country were located in New York, Chicago, Philadelphia, and Detroit. The Second World War produced an industrial boom that drew still-larger numbers of black workers out of the South.³⁶

Blacks who lived in northern cities were usually segregated in practice, if not by law, often in “ghettos” plagued by high rates of poverty and crime. Yet they had the numbers and money to form larger and more powerful black institutions and associations than in southern cities, and they could vote. Indeed, they soon made their political influence felt. In 1928, the black neighborhoods of South Chicago elected the first black member of Congress since White – Oscar De Priest, a Republican and migrant from Alabama. In 1935, he would be replaced by a black Democrat, Arthur Mitchell, also an Alabama native; Mitchell would be succeeded in 1943 by another black Democrat, the Georgia migrant William Dawson, who would serve for twenty-seven years. In 1945, the Harlem neighborhood of New York City also elected a black Democrat, Adam Clayton Powell Jr. (born a northerner, but with

southern parents), bringing the total number of blacks in Congress to two. Powell would become, in 1961, the first black to chair an important congressional committee (Education and Labor in the House).

The appearance of black Democratic congressmen evidenced a shift in black political allegiance. During the Great Depression, the New Deal programs and pro-labor policies of President Franklin Delano Roosevelt, a Democrat, drew poor and working-class voters to his party, blacks among them. FDR pursued a very cautious policy on civil rights, not wanting to alienate the powerful southern Democratic members of Congress whose support he needed to pass legislation.^a Still, black support for the Democrats was strengthened by the pro-civil rights stands of the First Lady, Eleanor Roosevelt. Most famously, in 1938, when the Daughters of the American Revolution (DAR) refused the use of their Washington, D.C., concert hall to a celebrated black opera singer, Marian Anderson, Mrs. Roosevelt resigned her DAR membership and helped Anderson organize an open-air concert at the Lincoln Memorial, which was broadcast live on national radio.³⁷

Many blacks continued to vote Republican, however, and by the 1940s the two major parties recognized that in a close presidential race, black voters could swing key states. Partly as a result, both parties began to appeal to the black vote by announcing support for civil rights. This presented a problem for the Democrats, however, dividing their northern and southern wings. In the 1948 presidential election, the incumbent, Harry Truman, trailing Republicans badly in the polls, pushed for a plank in the Democratic platform that called for all Americans to have “the right of full and equal political participation” and for “the right of equal treatment in the service and defense of our nation.”³⁸ In response, southern delegates walked out of the national party convention. Their protest was among the first news events covered by the brand-new medium of network television.³⁹ Days later Truman issued executive orders beginning the desegregation of the U.S. armed forces. In the fall several southern states voted for a segregationist “Dixiecrat” third-party candidate, but Truman was returned to office, in part on the strength of black votes outside the South.⁴⁰

By 1948, policies aimed at black disenfranchisement were losing ground in America. The Depression had thrust so many voters into poverty that the poll tax grew increasingly unpopular, even in the South, and a movement arose to abolish it. American involvement in the Second World War, meanwhile, required mass mobilization of the population. At least a million blacks were drafted or volunteered, including many who could not vote. The idea that those who fought for their country were denied suffrage at home because of their race grew unpalatable to many American whites, especially because the United States was battling racist Nazi Germany. The United States declared as a war goal “the restoration of democracy to all European nations, as well as an end to racial and ethnic discrimination,” writes Keyssar. “In the popular mind and in wartime propaganda, the ideology of racial superiority espoused by the Nazis loomed as an evil that had to be vanquished.”⁴¹ Owing to such developments, many white Americans increasingly viewed systematic discrimination in the South as a national problem in need of a solution.

Ready to take advantage of this shift in mood was an incipient civil rights movement. Its most conspicuous organization was the National Association for the Advancement of Colored People (NAACP). Founded in 1909 by a group of prominent intellectuals, both black and white and mostly from the North, it aimed, according to its charter, “to promote equality of rights and to eradicate caste

^a In the congressional elections of 1932, Democrats won control of both House and Senate, and they maintained that control for 44 of the next 48 years. Because southern Democrats after disenfranchisement never faced viable Republican challengers, they had the safest Democratic seats. They often constituted a majority or near-majority of the Democratic caucus in both chambers, and most senior caucus members were southerners, who, owing to the seniority system, came to chair a majority of congressional committees, including many of the most powerful and prestigious ones. See Nicole C. Rea, *Southern Democrats* (New York: Oxford University Press, 1994), 66–67, 84, 96–97.

or race prejudice among the citizens of the United States; to advance the interest of colored citizens; to secure for them impartial suffrage; and to increase their opportunities for securing justice in the courts, education for their children, employment according to their ability and complete equality before law.”⁴² By the 1920s the NAACP had branches in nearly every U.S. city. Appealing principally to the black middle class, it organized protests (for example, demonstrations outside showings of *Birth of a Nation*, an immensely popular but deeply racist motion picture), publicized examples of black achievement and racial injustice, and lobbied political leaders.⁴³ It became best known, however, for undertaking carefully publicized legal challenges to segregation and disenfranchisement in the federal courts. Year after year, the NAACP methodically established civil rights precedents and trained up a cadre of talented lawyers in what amounted to a new field of law.

One early NAACP triumph was the 1915 Supreme Court ruling that “grandfather clauses” were unconstitutional. Another major victory came in 1944, when the Supreme Court declared that the Fifteenth Amendment covered all primaries, even party-funded ones, and therefore that the “white primary” was unconstitutional. After this, the NAACP launched a campaign to register black voters in the South. Thousands responded, particularly members of the urban middle class, but progress was slow: white registrars still took full advantage of their power to block black applicants, and especially in rural areas, black applicants often faced violent intimidation and economic reprisals.⁴⁴

The NAACP scored its most celebrated victory in May 1954. After chipping away for decades, case by case, at the doctrine of “separate but equal,” it finally persuaded the Supreme Court to overturn the doctrine altogether. In *Brown v. Board of Education of Topeka, Kansas*, the justices decided unanimously that legally mandated racial segregation of public schools violated blacks’ Fourteenth Amendment right to equal protection. “Separate educational facilities,” the Court declared, “are inherently unequal.” The ruling sent shockwaves across the country and may have been the first piece of civil rights news to receive a banner headline on the front page of the *New York Times*.⁴⁵ After that, civil rights stories loomed larger in both the American and international press. In 1956, the civil rights story of the year—the one that most caught the attention of both press and public—was a black boycott of segregated buses in Montgomery, Alabama.

The Rise of the Civil Rights Movement, 1955-1960

Some observers were surprised to see the largest black protest in decades erupt in Montgomery, the self-proclaimed “cradle of the Confederacy” (during the Civil War, it had been the first capital of the South). Yet Montgomery blacks had a long tradition of civil rights activism, including their own branch of the NAACP since 1918. They had institutional resources to draw on, including a black college (Alabama State), their own newspaper and radio station, and many large churches. In August 1954 the community got its first activist black lawyer (and second black lawyer overall) when Fred Gray, a World War II veteran and part-time preacher, was admitted to the Alabama bar. The community also had voters. Following the abolition of the white primary in 1944, many local blacks had succeeded, through sheer perseverance, in clearing the remaining hurdles blocking black registration. Although all elected officials in the city were white, and blacks remained significantly underrepresented in the electorate—they comprised 37 percent of the city population in 1955, but only 7.5 percent of the voters—they nonetheless could swing a close municipal election when the white vote was narrowly divided, as happened a number of times in the years leading up to the boycott.⁴⁶

Montgomery blacks had used their political leverage to get the city to establish its first black public high school in 1946, a second in 1949, its first black hospital in 1951, and a number of black public housing developments. In early 1954 they even persuaded the city to hire its first black police officers, assigned to patrol black neighborhoods. White city leaders who agreed to these changes appear to have

done so, at least in part, to help buttress segregation. With NAACP court victories undercutting the “separate but equal” doctrine, it became increasingly clear that segregation would not stand unless “colored” facilities and services at least approximated “white” ones. In addition, a new generation of white businessmen wanted Montgomery to present a forward-looking image in order to attract investment from the North.⁴⁷ Local blacks, meanwhile, likely saw the improvements as steps on the road to integration.

Segregation on city buses proved to be a flashpoint. The front ten seats were reserved for whites. White bus drivers forbade blacks to sit in them even when there were no white passengers aboard and the black seats were full. The drivers required black passengers to pay in front and then exit the bus and reenter through the rear door, and they routinely ordered blacks to stand so that whites could sit. Although none of these practices were explicitly authorized by city segregation ordinances, they were nonetheless enforced by the police.⁴⁸

Blacks in Montgomery ultimately boycotted the buses in response to the arrest of Rosa Parks, a black community leader and secretary of the local NAACP office, who on December 1, 1955, refused to yield her seat in the “colored section” of a city bus to a white passenger when the white section was full. After Fred Gray, who represented Mrs. Parks, pointed out that she had not violated any municipal ordinance, the city prosecutor charged her instead with violating a 1945 state bus segregation law that had never before been understood to apply to municipal lines.⁴⁹ The local trial court promptly convicted Parks on this charge, and Gray appealed.

The arrest of Parks struck local activists as the perfect occasion for a bus boycott. They had been considering one for some time, inspired by boycotts in Baton Rouge, Louisiana, in 1953, which had won better treatment for black riders, and New York City in 1941, which had led to the hiring of black drivers.⁵⁰ Montgomery blacks supported the boycott with such immediate and unanimous enthusiasm that even most black leaders were caught off guard. They quickly created the Montgomery Improvement Association (MIA) to run the boycott and chose as its president a 26-year-old Baptist minister and Atlanta native who had only recently settled in Montgomery, Martin Luther King Jr. He was selected because he was seen as articulate and respectable—he had just received a doctorate in theology from Boston University—and was not tied to any faction of the local black leadership. A new father and a first-time pastor, the busy King accepted the presidency of the MIA in part because he thought the boycott would be over in a few days.⁵¹ In fact, it would last for over a year.

As the boycott wore on, King’s stature grew. His insistence that the protesters “meet hate with love” helped transform the boycott, in the eyes of both participants and observers, from an expression of economic power into a near-religious pursuit. As one elderly black woman who now had to walk to work declared: “My feets is tired, but my soul is rested.” Civil rights activists around the country began to see King’s nonviolent, mass-movement approach to civil rights as an appealing alternative to the legal strategy so long pursued by the NAACP, and—most strikingly—as a way to turn even poor, nonvoting blacks into significant political actors.⁵²

Although the boycott was not legally tied to the *Brown* decision, the political environment in which it took shape was deeply influenced by the 1954 ruling. The Supreme Court’s decision had energized black Americans, especially in places like Montgomery where activism had been gathering momentum, with the hope that they could bring about integration soon. Yet the 1954 decision outraged many southern whites. One sign was the reemergence of the Ku Klux Klan, which now took the form of semisecret clubs pledged to stop the civil rights movement with violence.⁵³ More mainstream was the “White Citizens Councils” movement. Launched in Mississippi soon after the *Brown* ruling, these councils advocated “massive resistance” to integration. Believing that “without treacherous white assistance, blacks were powerless by themselves to achieve their integrationist goals,” the councils

concentrated their efforts on “eliminating all white dissent” and “silencing all public advocacy of racial moderation.” Montgomery whites created their own council in October 1955, with 300 members. In response to the bus boycott, membership grew to 12,000 by February 1956.⁵⁴

Initially, King and the MIA did not ask for an end to segregated buses, but merely that black drivers be hired for bus routes through black neighborhoods, that the segregated seating system be made more flexible, with whites taking seats from the front of the bus to the back, blacks back to front, and that no seats be reserved for whites only. The city government refused to agree to these proposals. It tried to disrupt the boycott by falsely announcing that black leaders had agreed to end it and subsequently ordered city police to tail black drivers, including King, who were carpooling black commuters to work. On January 26, 1956, while King was driving a carpool, police arrested him for going 30 miles per hour in a 25 mile-per-hour zone. He was jailed, although his friends quickly bailed him out. At this point, the MIA decided compromise was useless. On February 1, Fred Gray filed a suit in federal court on behalf of four black Montgomery women, demanding an injunction against segregated seating.⁵⁵

Now that the fight had become about segregation itself, the NAACP got involved, offering legal and financial help to Gray and the MIA. The State of Alabama responded by demanding that the NAACP turn over its membership and financial records for inspection. When the NAACP refused, it was subjected to severe fines, forcing it to shut all its offices in the state; they would remain closed for years.⁵⁶ Also, the state draft board revoked Gray’s ministerial exemption. Only direct intervention from the Selective Service Office in Washington prevented Gray from being called up for military service.⁵⁷ Meanwhile, on January 30, the KKK bombed King’s home—his wife and daughter were there—and less than forty-eight hours later, also bombed the house of the former president of the local NAACP chapter. Fortunately no one was hurt in either attack. The city government denounced the bombings but the police made no arrests. On February 21, however, an all-white state grand jury indicted nearly a hundred MIA leaders under an old, half-forgotten state anti-boycott statute originally aimed at labor unions. The grand jury report declared, “We are committed to segregation by custom and by law [and] we intend to maintain it.” King’s case was the first to be tried. He was convicted on March 22 and appealed. These developments brought reporters from around the world to Montgomery to see what was happening. The boycott story moved from the back pages of *The New York Times* to page 1.⁵⁸

The MIA decided to continue the boycott until its segregation case was resolved in federal court. In early June, a federal circuit court panel ruled 2–1 that segregated buses violated the Fourteenth Amendment. The state of Alabama appealed to the U.S. Supreme Court. In November an Alabama state judge issued an injunction against the MIA carpool system on the grounds that it violated the franchise rights of the company that ran the Montgomery bus service. This might have disrupted the boycott, had not the U.S. Supreme Court rejected the Alabama appeal that same day. Alabama asked for reconsideration. The Supreme Court again rejected the appeal on December 17. On December 20, 1956, federal injunctions arrived ordering bus integration. Only then did the MIA end the boycott.⁵⁹

The Montgomery bus boycott made King a national figure. In February 1957, *Time* magazine put his picture on its cover, and in a long profile, titled “Attack on the Conscience,” attempted to explain the significance of his accomplishment:

In Montgomery, Negroes are riding side by side with whites on integrated buses for the first time in history. They won this right by court order. But their presence is accepted, however reluctantly, by the majority of Montgomery’s white citizens because of Martin King and the way he conducted a year-long boycott of the transit system. In terms of concrete victories, this makes King a poor second to the brigade of lawyers who won the big case before the Supreme Court in 1954, and who are now fighting their way from court to court, writ to writ, seeking to build the legal framework for desegregation. But King’s

leadership extends beyond any single battle: homes and churches were bombed and racial passions rose close to mass violence in Montgomery's year of the boycott, but King reached beyond lawbooks and writs, beyond violence and threats, to win his people – and challenge all people – with a spiritual force that aspired even to ending prejudice in man's mind.⁶⁰

Time exaggerated the willingness of Montgomery's whites to comply; violent resistance to integration would persist there for years. Nonetheless, the boycott had created national political momentum for civil rights, and King worked to build on it. In February 1957 he helped to create what became the Southern Christian Leadership Conference, with the idea of organizing black ministers for civil rights action. King began giving civil rights speeches all over the country, traveling hundreds of thousands of miles a year, and in 1958 published his first book, *Stride towards Freedom*, about the boycott. The book sold slowly, however, and although the SCLC attracted many ministers, its staff was tiny and it failed in its major push to register millions of new black voters.⁶¹

Meanwhile, in September 1957 a white mob blocked nine black students from entering Central High School in Little Rock, Arkansas, impeding a federal court order for integration. When the Arkansas governor mobilized the National Guard to stop the black students from enrolling, President Dwight Eisenhower sent in the 101st Airborne Division to restore order and enforce the court order. These events occasioned the "first on-site news extravaganza of the modern television era."⁶² King, however, had little influence on these events.

Also in September 1957, Congress approved the first Civil Rights Act since Reconstruction. The NAACP hired its first congressional lobbyist to work on the bill, while King organized a prayer rally of 27,000 people in front of the Lincoln Memorial urging passage of a strong law.⁶³ The resulting statute, however, disappointed both King and the NAACP. It reflected the mainstream white view that civil rights reform should be "gradual."⁶⁴ It created a Civil Rights Commission to investigate and report on voting rights abuses and a small Civil Rights Division in the Justice Department, but it did not directly attack segregation, and the procedures it established to prosecute voting rights violations were aimed only at individuals, as if the problem was just a few "bad apples," not systematic state policy. The law was weak enough that southern Democratic senators chose not to organize a filibuster.⁶⁵ By 1959, when a national Gallup poll asked respondents whether the Supreme Court ruling on segregation in the schools had "caused a lot more trouble than it was worth," 53 percent responded "yes."⁶⁶

Civil Disobedience and Publicity, 1960-1963

On February 1, 1960, King resigned his pulpit in Montgomery; he was moving back to his hometown of Atlanta, Georgia, to become co-pastor with his father, a prominent minister, and because the SCLC was headquartered there. That same day four freshmen from the North Carolina Technical and Agricultural State College, a black school in Greensboro, walked to the local Woolworth's department store and asked to be served at the "whites only" lunch counter. The unplanned demonstration flustered the owners, and the students were not arrested. They came back the next day with friends. Soon hundreds of students were taking part. Within a week, the "sit-in" movement spread to four other North Carolina cities. An SCLC minister from Birmingham, Fred Shuttlesworth, was visiting the state to preach when he saw students marching to a sit-in. Impressed, he quickly telephoned SCLC administrator Ella Baker and urged her to "tell Martin that we must get with this."⁶⁷

King had already been thinking about a civil disobedience campaign, as had his friend James Lawson, a student at the Divinity School at Vanderbilt University in Nashville, Tennessee. Both men viewed civil disobedience as a form of religious witness and personal sacrifice, with the potential to

bring about nonviolent political change by stirring the conscience of the oppressor. Lawson had been training students for civil disobedience and had sponsored a number of sit-in demonstrations, although “few of them had made the news, [and] all faded quickly from public notice.” Now he rushed to support the new movement, and his trainees, led by Vanderbilt student Diane Nash, launched sit-ins at lunch counters in downtown Nashville. Hundreds were arrested, refused to pay their fines, and were jailed. Months of protests followed, producing front-page headlines across the country. The house of the lawyer representing the students was bombed, and the trustees of Vanderbilt summarily expelled Lawson. This led 400 faculty members to resign in protest, forcing his reinstatement. Eventually downtown Nashville businesses integrated their lunch counters. Similar victories were achieved in dozens of southern cities, including Greensboro, integrating restaurants, swimming pools, and libraries. In other cities, such as Montgomery, sit-ins provoked only harsh crackdowns.⁶⁸

Meanwhile, in April 1960 the SCLC sponsored a national conference of student sit-in activists, led by the Nashville group. With the encouragement of Ella Baker, these activists established their own independent organization, the Student Nonviolent Coordinating Committee (SNCC). SNCC soon started a sit-in campaign in King’s city, Atlanta, to integrate the snack bar at a prestigious downtown department store. They asked King to join them, and on October 19, 1960, he did so, deliberately seeking arrest for the first time. He and the students were convicted of trespassing and refused bail, and he spent his first night in jail. Public attention and protests mounted. Alarmed, the mayor of Atlanta brokered a deal to drop charges against the protestors and form a biracial commission to make recommendations on how to desegregate downtown businesses. This seemed like a victory for the activists until the state police unexpectedly removed King from the county jail in shackles.⁶⁹

It turned out that in May, King had gotten a traffic ticket. State law required that he replace his Alabama driver’s license with one from Georgia within ninety days of moving to the state, but he had not done so. In September he had challenged the ticket in court, lost, and paid a \$25 fine. Unbeknownst to King, however, the judge had also put him on probation. Apparently King’s lawyer had agreed to the terms—that King not violate state or federal laws for a year—without actually telling King. Now this same judge, finding King had violated his probation, sentenced him to four months of hard labor. Denied bail, King was moved in shackles to a maximum security state prison, where he was locked alone in a cell. His lawyers and family could not contact him. The Georgia governor’s press spokesman told reporters that prison might do King “good” and “make a law-abiding citizen out of him.” King’s family and many civil rights activists feared he would be murdered.⁷⁰

This crisis unfolded in the final weeks of a close presidential election between Senator John F. Kennedy of Massachusetts, the Democratic candidate, and Vice President Richard Nixon of California, the Republican. King had endorsed neither candidate. Nixon hoped to win at least as much black support as Republicans had in the 1956 presidential election, when Eisenhower received nearly 40 percent of the black vote. Nixon had joined with black leaders in criticizing the 1957 Civil Rights Act as too weak and had friendly relations with King. In addition, the most famous black man in the country, Jackie Robinson, the first black player in major league baseball, was campaigning for Nixon. Kennedy, by contrast, did not have a strong civil rights record and had picked for his running mate Senator Lyndon Johnson of Texas, whom civil rights leaders distrusted. Some leading black ministers, including King’s father, refused to back JFK because he was Catholic. Now, however, Nixon made no comment while JFK phoned King’s pregnant wife, Coretta, expressing concern, and Robert F. Kennedy (RFK), the candidate’s younger brother and campaign manager, called King’s judge to convey his opinion as a lawyer that King had a constitutional right to post bail. The judge let King do so the next day, October 27.⁷¹

The white press at first hardly noticed the Kennedy intervention, but news of it swept through black communities. Although King himself still declined to make endorsements, many other black leaders, including King's father, announced they were now for JFK. On election day, November 8, JFK won a 0.02 percent plurality of the total vote, but 70 percent of the black vote, enough of a gain for the Democrats over 1956 to provide his margin of victory in five crucial states.⁷² In the words of one leading historian of the civil rights movement, the Kennedy calls had "elevated King in national politics. He became the Negro whose name determined a president."⁷³

Nevertheless, after taking office in January 1961, President Kennedy as well as Robert Kennedy, his new attorney general, proceeded cautiously on civil rights. They methodically launched voting rights lawsuits, but feared that doing anything dramatic on segregation would alienate southern whites, whose votes JFK had relied on to win the election and whose powerful representatives in Congress he needed to enact his domestic agenda. On the recommendation of southern Democrats, JFK even appointed a number of pro-segregation federal judges.⁷⁴ In May 1961, however, the civil rights movement provoked a crisis that forced the Kennedys to take a clearer stand.

The Supreme Court had ruled in 1946 and again in 1960 that segregated waiting rooms, restaurants, and bathrooms at interstate bus terminals violated black passengers' Fourteenth Amendment rights. The Interstate Commerce Commission (ICC) had banned segregated terminals in 1955, but southern states had refused to comply (some simply relabeled their interstate terminals "intrastate").⁷⁵ It was against this backdrop that the Congress of Racial Equality (CORE), a pacifist group founded in 1942 that had worked in obscurity, organized a "Freedom Ride" in 1961. On May 4, a group of activists (black and white, men and women, some students from SNCC but also a number of participants who were middle-aged) left Washington, D.C., on two regularly scheduled buses, one Greyhound and one Trailways, aiming to reach New Orleans on May 17, the seventh anniversary of the *Brown* decision. At each stop, the riders planned to "challenge . . . every form of segregation met by the bus passenger."⁷⁶

On May 14, Mother's Day, mobs led by the KKK attacked the riders near Anniston, Alabama. One mob burned the Greyhound bus, nearly killing the passengers; an hour later another mob attacked the Trailways bus, brutally beating Freedom Riders aboard. The Anniston police did not intervene. The Trailways driver then drove the injured Riders to Birmingham, where another Klan mob attacked them in front of reporters, including Howard K. Smith, a CBS correspondent in town to investigate segregation. Again, no police were in sight. Smith filed live radio reports and drove bleeding Riders to his hotel to film interviews with them, but the local CBS TV affiliate, owned by a segregationist, refused to allow him to file a televised report that night, citing "technical difficulties." Nonetheless, and even though the mobs destroyed the cameras of anyone they noticed taking pictures, images of the burning bus and the bleeding Freedom Riders got out and appeared on front pages around the world. The Riders now decided to fly to New Orleans, but found themselves trapped at the Birmingham airport by bomb threats. RFK's personal representative rushed from Washington and arranged for them to take an unannounced flight.⁷⁷

Newspapers declared the Freedom Rides over, but SNCC decided otherwise, sending a group of SNCC activists on a bus from Nashville to Birmingham. A mob met them at the terminal, and the Birmingham police commissioner, Eugene "Bull" Connor, had them arrested without charge (he claimed to be taking them into "protective custody"). After two nights in jail, during which the students fasted, the CBS network broadcast Smith's prime-time special *Who Speaks for Birmingham?* The program closed with his riot coverage. An hour and a half after the broadcast ended, in the middle of the night, Connor and his men ordered the Riders out of their cells and into unmarked cars, drove them to the Tennessee border, and dumped them on the side of the road. After reinforcements arrived from Nashville, the Riders snuck back into Birmingham. They again reached the bus terminal, where they

were again trapped by a mob. Robert Kennedy threatened to send U.S. army troops to restore order unless the governor of Alabama provided the Riders with state police protection. The governor reluctantly did so on the next leg of the Riders' journey, to Montgomery, where city police were supposed to take over. Instead, Montgomery police allowed yet another a mob to attack the Riders, as well as reporters and RFK's assistant, who was beaten unconscious. Once again, pictures of the bloody mayhem became big news, both on the front pages of newspapers and on television.⁷⁸

A furious RFK ordered federal marshals to protect the Riders, while King rushed to Montgomery to hold a mass meeting on their behalf at a friend's church. That night, May 21, the church, with King and an audience of 1,500 inside, was surrounded by an angry white mob of many thousands, with only a couple of dozen federal marshals to keep them at bay. RFK, constantly on the phone with aides in Montgomery and with King, was about to ask his brother to mobilize the U.S. army when the governor, panicked by the unrest in his capital city, declared martial law and sent in the National Guard. RFK then negotiated with officials in Alabama and Mississippi to provide protection so the rides could continue to Jackson, Mississippi, where by prearrangement all of the Riders were arrested (many spent over a month in a maximum security prison). At this point, RFK asked for a "cooling off period," but instead SNCC and CORE launched more rides, many of which were violently attacked. Finally, in September, owing to RFK's relentless lobbying, the ICC ordered immediate integration of interstate travel. Yet the Kennedys were reluctant to take further steps against segregation, having seen how politically explosive the issue was. Significantly, few if any of the KKK members who attacked the Riders seem to have spent more than a few days in jail.⁷⁹

The crisis produced by the Rides influenced King's thinking about civil disobedience. He still viewed it primarily as a form of religious witness and personal sacrifice, but as he explained in a letter in October 1961, "Public relations is a very necessary part of any protest of civil disobedience. The main objective is to bring moral pressure to bear upon an unjust system or a particularly unjust law. . . . In effect, in the absence of justice in the established courts of the region, nonviolent protesters are asking for a hearing in the court of world opinion."⁸⁰

King struggled, however, with how to apply this lesson. In 1961 and 1962, the SCLC concentrated its efforts on a desegregation campaign in the small city of Albany, Georgia. SNCC had instigated the Albany Movement, as the broad coalition of local black groups was called, in November 1961, aiming to get the new ICC desegregation order enforced in the airport, train station, and bus terminal, then to integrate buses, businesses, and public facilities, such as parks and the library. The Movement launched boycotts of buses and downtown stores and developed a new tactic: mass marches leading to mass arrests. The aim was to "fill the jails." With no place to put arrested demonstrators, local officials would have to negotiate. The Movement invited the SCLC to join them, and it did. King himself tried to excite national interest in Albany by getting himself arrested there three times. Yet Albany had no active KKK chapter to incite violence, and Albany officials took care to befriend northern reporters and deescalate tensions the Movement sought to create. The police chief had his men behave professionally and sent prisoners to surrounding towns, so the jails would not fill. In June 1962, when an Albany court convicted King of marching without a permit and King refused to pay bail, the mayor secretly arranged to have him bailed out within hours. Despite the efforts of SNCC and the SCLC, the Albany campaign never generated a sense of national crisis.⁸¹

Other civil rights matters did generate headlines. When the University of Mississippi, after years of resistance, admitted its first black student in June 1962, the Kennedy administration was forced to send in thousands of troops to stop a massive, armed white riot. But the failure in Albany was seen by King and others at the SCLC as a major setback. They decided they must, for the first time, instigate their own mass civil disobedience campaign in a place of their own choosing. In January 1963 they picked

Birmingham, where SCLC minister Fred Shuttlesworth had already laid the groundwork through effective organizing.⁸²

The leaders of the SCLC thought a victory in Birmingham would resonate nationally. Alabama had just elected George Wallace as governor, who in his inaugural address would declare, "I draw the line in the dust and toss the gauntlet before the feet of tyranny . . . and I say . . . segregation now . . . segregation tomorrow . . . segregation forever."⁸³ Birmingham, meanwhile, had received national press attention as a bastion of violent segregationism. Long and highly critical profiles of the city had appeared in the *New York Times* and *Time* magazine, even before the Freedom Ride riots had cemented its reputation. The local KKK subjected blacks to beatings, shootings, even (in one case) castration, and they resorted so often to dynamite that they won for the city the nickname "Bombingham." Shuttlesworth himself had barely escaped being blown up (he had been trapped in the ruins of his parsonage), and his church had been bombed three times.⁸⁴

The intransigence of many Birmingham whites was embodied in its city police commissioner, "Bull" Connor. A former sportscaster who was first elected commissioner in 1937, he had made a name for himself shortly afterward by having his men challenge First Lady Eleanor Roosevelt for sitting in the black seats at a conference in his city.⁸⁵ Local business leaders tolerated his antics because he was an effective union buster, until revelations of personal and departmental "incompetence, moral turpitude, and corruption" forced him from office in 1952. Yet the *Brown* ruling, coupled with a municipal decision to consider hiring black patrolmen for black neighborhoods, produced a white backlash that Connor had been able to ride back to power. Reelected commissioner in 1957 (by a razor-thin margin) and again in 1961 (by a landslide), he had his officers harass civil rights activists, and he cooperated closely with the Klan. Everyone suspected, correctly, that he was responsible for the bloody Freedom Rides riot; in fact, he had passed word to his KKK friends beforehand that when the Riders' bus reached the terminal, the Klan would have fifteen minutes to do whatever it wanted before the police showed up. Leaders of the SCLC worried about the violence Connor might inflict on demonstrators, but decided he made a "perfect adversary" because "he wanted his name in the paper" and could be provoked into the kind of dramatic confrontation civil rights activists never got in Albany.⁸⁶

King launched the Birmingham campaign in April 1963 with the goal of desegregating facilities and employment downtown. Yet local black enthusiasm for the campaign was low, because Connor appeared finally on the way out. White business leaders, anxious to persuade outside industries to relocate to their "Magic City," had grown embarrassed, especially after the Freedom Rides, that Connor was now the symbol of Birmingham to the world.⁸⁷ Because Connor had been reelected in 1961, businessmen launched a referendum campaign to replace the city commission with a mayor-council system, which would eliminate Connor's job. Their effort gained traction only weeks before the vote when a federal court ordered the integration of municipal parks. Businessmen proposed a plan of gradual compliance, but Connor and the commission denounced them as race traitors and closed the parks instead. This move satisfied the KKK but upset many of Connor's working-class constituents, whose children now had no playgrounds. They joined wealthier whites, who had been voting against Connor for a decade, and a small but united black electorate to make a majority, which approved the new charter in November 1962, and five months later defeated Connor's bid to be the first mayor. Connor remained in charge of the police—he insisted that the commissioners were legally entitled to serve out their terms, and the matter was being adjudicated in court—but many Birmingham blacks adopted a hopeful wait-and-see attitude. They regarded King's demonstrations, which started the day after Connor's mayoral defeat, as badly timed.⁸⁸

The SCLC struggled for weeks without the Birmingham campaign catching fire. The press paid little attention; even the local newspapers kept the demonstrations off their front pages. The planned mass marches and civil disobedience sputtered, as few blacks volunteered to be arrested. When a state judge issued an injunction against the marches, King decided to defy it and seek jail, but his imprisonment generated little political reaction.^b The tide turned only when the SCLC began recruiting black children. Thousands of children, mostly teens but some as young as six, responded to the SCLC call to leave school and go to jail for freedom. The first children's march took place on May 2. By nightfall 600 were in custody, packing the city jail. The following day Connor, unable to make further arrests and struggling to keep the marchers out of downtown, unleashed police dogs and water cannons on them. Appalled, local black leaders united behind King for the first time, while pictures of children being mauled and blasted appeared on television and on newspaper front pages around the world. President Kennedy told a group of White House visitors that the images made him "sick."⁸⁹

The demonstrations did not let up. On May 6 young protestors snuck around Connor's men and made their way downtown, staging a mass sidewalk sit-in. White business leaders had to step over singing protestors to get to their offices. After round-the-clock negotiations with Robert Kennedy, local black leaders, and the SCLC, Birmingham business leaders announced a tentative desegregation agreement. President Kennedy immediately called a press conference and endorsed the plan on May 7. When a Birmingham judge tried to scuttle the deal by jailing King, again for parading without a permit, RFK rushed to get him bailed out. King refused to cooperate, however, until all of the children were bailed out as well, which would require \$160,000. As the banks were closed for the weekend, RFK's men scrambled to collect the money in cash—mostly from organized labor—and then wire it to Birmingham. King emerged from jail in triumph, and he and Shuttlesworth (who had also been arrested) publicly agreed to the desegregation deal on Sunday, May 10. Ruling on the separate dispute over Birmingham's new city charter nearly two weeks later, the Alabama Supreme Court declared that the old city commissioners had to vacate their offices, which meant that Connor's reign as police commissioner was officially over.⁹⁰

In the meantime, however, on May 11, the Birmingham Klan bombed both the church of King's brother, Birmingham minister A. D. King, and the black motel that the SCLC had used as its headquarters. In response, local blacks rioted. Just as A. D. King and others were calming the situation, Alabama state troopers under the command of Al Lingo arrived and began beating any blacks they encountered. In August and September, the Klan bombed the homes of black community leaders; on September 15 it bombed a black church, killing four girls, a crime that shocked the nation. Amid this tumult, Birmingham desegregated only slowly. It would not hire a black police officer until 1966.⁹¹

Although Birmingham was not desegregated overnight, the protests there in April and March 1963—along with the violent reaction from law enforcement—deeply affected national public sentiment. From mid-May through July 1963, there were "758 racial demonstrations producing 14,733 arrests in 186 American cities."⁹² Around this time a national survey of black Americans found that half said they were personally willing to sit in, march, or even go to jail in a civil rights protest, while nearly two-thirds said they were willing to boycott a segregated store.⁹³ King announced during this period that the SCLC was considering a march on Washington, and on June 11 President Kennedy

^b While King was locked up, held in solitary, without a mattress or razor, anti-Connor white Birmingham clergy published a letter criticizing his protest as inopportune. In response King wrote his celebrated "Letter from Birmingham Jail," in which he passionately explained "why we can't wait." See King, *Why We Can't Wait* (New York: Harper and Row, 1964). Although King's letter did not immediately influence conditions on the ground in Birmingham, it would ultimately gain a large audience and prove highly influential.

pledged in a nationally televised address that he would propose a new civil rights law, targeting segregation:

[A]re we to say to the world – and much more importantly, to each other – that this is the land of the free, except for Negroes, that we have no second-class citizens, except Negroes, that we have no class or caste system, no ghettos, no master race, except with respect to Negroes? . . . The events in Birmingham and elsewhere have so increased the cries for equality that no city or state or legislative body can prudently choose to ignore them. . . . We face, therefore, a moral crisis as a country and as a people.⁹⁴

The SCLC's planned march on Washington now became a march for the civil rights bill. On August 28, 1963, 250,000 gathered at the Lincoln memorial and heard King's "I Have a Dream" speech, which was televised nationally. The following January, *Time* magazine named King its Man of the Year.⁹⁵

Despite this newfound momentum for a civil rights law, opponents in the U.S. House of Representatives bottled up the bill in committee until tragedy rocked the nation on November 22, 1963: the assassination of President Kennedy. Civil rights leaders, including King, did not know what to expect from Lyndon Johnson, the Texan who now occupied the Oval Office. As Senate majority leader, he had shepherded the Civil Rights Act of 1957 through Congress, but by 1963 that law seemed hopelessly weak. Upon becoming president, however, Johnson announced that Congress must enact the slain president's proposed civil rights bill as a tribute to his memory. He then used all his powers of personal persuasion and political maneuvering, which turned out to be formidable, to push the bill over one legislative hurdle after another, including a fifty-seven-day Senate filibuster by southern Democrats and some Republicans. King was invited to the White House to watch President Johnson sign the bill into law on July 2, 1964.⁹⁶

King's leadership of the civil rights movement would result in his being awarded the Nobel Peace Prize that fall. But he had little chance to celebrate, because the movement was increasingly wracked by an issue the Civil Rights Act did little to address – voting rights.

The Campaign for Voting Rights

The civil rights movement had never ignored disenfranchisement. One of the SCLC's first initiatives, in 1957, had been a drive to register millions of voters, although it proved unsuccessful. The Civil Rights Commission, created that same year to investigate voting rights abuses, had held nationally televised hearings in Alabama in 1958 that showed a parade of black witnesses, all property owners and taxpayers, among them decorated veterans and college graduates, whose registration applications had been denied for unspecified reasons. Meanwhile, at the Justice Department, John Doar, a white Minnesotan whom the Eisenhower administration had made second in command at the new Civil Rights Division despite his lack of experience with the issue, had decided on his own initiative to travel through the South investigating voting rights abuses. His first trip, in the summer of 1960, had been to rural Tennessee to check out a complaint that a black tenant farmer had been evicted for trying to register. At a clapboard church he had introduced himself to the black congregation and asked if anyone there had received eviction notices. To his shock, nearly every hand went up. He soon indicted fifty white landlords for conspiring to violate black voting rights.⁹⁷

Doar had been held over by the Kennedy administration, which gave him much more to do. When he arrived at the department, it had only three pending voting rights cases; under Robert Kennedy the department worked to launch at least one prosecution in every federal court district in the South.⁹⁸ The administration also sought to make a ban on poll-taxes in federal elections part of the U.S. Constitution,

which was not an especially controversial proposal, given that only four states still had these taxes. The ban was approved by Congress as the Twenty-Fourth Amendment in 1962 and ratified by the states in 1964. The administration worked as well to increase the number of black applicants for registration by launching the Voter Education Project (VEP). In the summer of 1961 the administration persuaded major private philanthropies to fund VEP and the leading civil rights groups, including SCLC, NAACP, CORE, and SNCC, to participate. The combination of Kennedy administration initiatives appears to have contributed to an increase of over 500,000 southern black voters between 1962 and 1964, although the numbers varied widely by state, and black registration still lagged notably behind white registration across the South.⁹⁹ (See **Exhibit 1**.)

SNCC had joined the VEP only after internal debate. Many of the young activists believed the Kennedys were promoting it simply as a way to divert the movement from its highly visible fight against segregation. Sit-ins and Freedom Rides produced crises that attracted national attention, whereas the voting issue seemed to involve only tedious litigation and “laborious door-to-door canvassing and . . . [the establishment of] citizenship schools.”¹⁰⁰ Nevertheless, Ella Baker, now a SNCC advisor, argued that fighting disenfranchisement would prove just as explosive as fighting Jim Crow. At her suggestion, SNCC split into two parts, one focused on segregation, the other on voting rights.¹⁰¹

One SNCC activist who took the voting rights cause to heart was Bob Moses, a soft-spoken, bespectacled black New Yorker with an MA in philosophy from Harvard. He believed that real social change was produced not by charismatic leaders like King, but by grassroots empowerment, of which voter registration could be a part. In 1961 he started a voting rights movement in rural Mississippi, which had the lowest rates of black voter registration in the country. Over the next two years, movement members were beaten, shot, and arrested, their meeting places were ransacked and burned, and one local black supporter was shot dead by a member of the Mississippi legislature, who was never prosecuted. Officials of two counties tried to quash local black interest in the movement by stopping distribution of federal food aid, on which the sharecroppers depended, for an entire winter. Each attack, however, seemed to gall a few more sharecroppers into trying to register, and Mississippi activists discovered that they could blend techniques of mass protest with voter drives by organizing marches of applicants to registration offices. Eventually the movement attracted press attention—in September 1962, CBS aired a special full-hour report, “Mississippi and the Fifteenth Amendment”—but it produced few new voters, because registrars continued to reject most applications from black citizens.¹⁰²

In October 1963, Mississippi activists organized an alternative to the gubernatorial election then taking place. They nominated their own integrated ticket and printed provisional “Freedom Ballots” so that disenfranchised people could vote for it. They also recruited outside volunteers, mostly white college students from the North, to distribute the ballots door to door to black households. In November, more than 80,000 Freedom Ballots were cast; at the time there were only 24,000 registered black voters in the state. The students, meanwhile, returned to their campuses with reports of confronting violent harassment, which only seemed to excite the interest of more students in going south.¹⁰³

They got their chance the following year, when Moses helped launch both the Mississippi Freedom Democratic Party (MFDP) and the Freedom Summer project. Northern college students, mostly white, joined local blacks to start voter-training schools and registration drives and to build support for the MFDP, which elected its own pro-Johnson delegation to the national Democratic convention, meeting in Atlantic City in August. Over the summer, a thousand voting rights activists were arrested, eighty were beaten, and nearly seventy black churches, homes, and businesses were burned or bombed. In early June three activists, two white northerners and a local black volunteer, vanished. Press flooded

into the state, and President Johnson cajoled a reluctant FBI into investigating. Agents found the bodies in August, and eventually Klansmen confessed to the killings.¹⁰⁴

Meanwhile, the integrated MFDP delegation arrived in Atlantic City, as did King, asking that they be seated instead of the all-white regular Mississippi delegation, whose members had not pledged support for Johnson owing to his stand on civil rights. Johnson, however, feared that seating the MFDP would exacerbate an emerging white backlash. In the spring George Wallace had launched a symbolic quest for the Democratic Party nomination and stunned observers by winning over a third of the vote in the primaries of Wisconsin, Indiana, and Maryland. At the same time, southern Democrats were defecting in large numbers and taking control of state Republican organizations. At the Republican national convention in July there had been no black delegates from the South for the first time since Reconstruction, and the presidential nominee was Senator Barry Goldwater of Arizona, one of a minority of congressional Republicans to vote against the Civil Rights Act of 1964.¹⁰⁵ In light of these developments, Johnson tried to impose a compromise on Mississippi, seating the regular delegates if they pledged to vote for him, choosing two MFDP members as at-large delegates, and promising that no segregated delegation would be seated in the future. The proposal infuriated southern Democrats; Mississippi delegates and most Alabama delegates walked out. But the MFDP rejected the compromise and walked out, too. "We're not here to bring politics to our morality," Moses declared, "but morality to our politics."¹⁰⁶ The convention nominated Johnson by acclamation. In November, Johnson lost five southern states that had not voted Republican since Reconstruction, among them Mississippi and Alabama, but won 61 percent of the national popular vote and 96 percent of the national black vote. Democrats also won lopsided majorities in Congress (68 to 32 in the Senate, 295 to 140 in the House).¹⁰⁷

Although King had endorsed Johnson (and the SCLC had suspended protests during the fall campaign), the standoff in Atlantic City had proved painful for the civil rights leader. Torn between his alliance with the president and his loyalty to the activists, King had declined to back either Johnson's compromise proposal or the MFDP's rejection of it.¹⁰⁸ Nevertheless, the episode helped raise the profile of voting rights as an issue, and immediately after the election King announced a new campaign against disenfranchisement.

The SCLC decided to launch its battle for voting rights in Selma, which was the seat of Dallas County in Alabama. There were 15,000 blacks of voting age in Dallas County, a majority of the adult population, but fewer than 200 registered black voters. The local White Citizen's Council, closely affiliated to the city Democratic machine, effectively controlled city politics. There was an active KKK "klavern" in the area, and the county sheriff, Jim Clark, who liked to wear quasi-military uniforms and a lapel button stating his views on integration—"NEVER"—was known for his quick, violent temper. Yet white Selma seemed to be changing. The town had become economically dependent on Craig Air Force Base, which was integrated, and in early 1964 a young anti-machine candidate—an avowed segregationist but committed to modernization and economic development—had been elected mayor. One of his first acts had been to take city law enforcement out of Sheriff Clark's hands by creating a new office of Public Safety Director and giving the job to Wilson Baker, who considered Clark a disgrace to law enforcement.¹⁰⁹ Clark retained control, however, at the county level.

The black community in Selma had a long-established voting rights movement, with its own organization, the Dallas County Voters League (DCVL).¹¹⁰ In late 1962 the DCVL had invited SNCC to begin a VEP-funded voting rights campaign in Selma, which increased the number of black applications for registration from three a month in January 1963 to 215 in October, yet registrars rejected the overwhelming majority of them (all but 11 of the 215). SNCC also organized sit-ins (mostly by high school students), regular mass meetings at Brown Chapel, and marches to the registration office at the county courthouse, resulting in mass arrests. Then, in July 1964, a state judge named James Hare issued

an injunction banning civil rights groups from holding marches and public meetings. With the SNCC campaign stalled, the DCVL asked King to bring the SCLC to Selma, which he did in January 1965.¹¹¹

The movement in Selma soon took off, with mass meetings, mass marches to the county courthouse, protest marches in surrounding towns, and hundreds of arrests. King himself was jailed for three days. On February 4, while King was locked up, a federal judge, Daniel Thomas, ordered county registrars to let all applicants sign up for appointments in a book, to process at least a hundred applicants every day their office was open, and stop administering a citizenship test that in practice had been used to screen out black applicants. This order conceivably could have allowed all black residents of Selma who wanted to register to do so within a year, but the SCLC decided to boycott the appointment book and keep protesting. King thought the new registration process would be too slow and wanted to keep up political pressure for comprehensive federal voting rights reform.¹¹²

Although Baker, the public safety director in Selma, tried to ease tensions where possible, Sheriff Clark continually frustrated these efforts. Baker, for example, allowed protestors to march unmolested through the streets of Selma, refusing to enforce Judge Hare's injunction on the grounds that it was being appealed in federal court. When the marchers got to the county courthouse, however, which was Clark's domain, the sheriff and his men beat and arrested them. Clark also helped break up the February 18 march in which Jimmie Lee Jackson was shot, and he played a key role in orchestrating the assault on protestors at the Pettus Bridge on March 7.¹¹³ Clarke's brutality had outraged King's supporters, alarmed President Johnson, and brought national media attention to the voting rights issue. Now, on March 9, as King led marchers back to the Pettus Bridge, he had to decide whether to try to turn the march around before crossing, or to try to cross the bridge as his supporters fervently expected and wanted, but against President Johnson's wishes and in violation, for the first time in his career, of a federal court order. With much at stake, the time for a decision was upon him.

Exhibit 1 Percentage of adult population in the South registered to vote, by state

	Black registered voters as percent of black voting age population, 1962	Black registered voters as percent of black voting age population, March 1965	White registered voters as percent of white voting age population, March 1965
Alabama	13.4	19.3	69.2
Arkansas	34.0	40.4	n.a.
Florida	36.8	51.2	n.a.
Georgia	n.a.	27.4	62.6
Louisiana	27.8	31.6	80.5
Mississippi	5.3	6.7	69.9
North Carolina	35.8	46.8	96.8
South Carolina	22.9	37.3	75.7
Tennessee	49.8	69.4	n.a.
Texas	26.7	57.7	n.a.
Virginia	24.0	38.3	61.1

Source: Adapted from Steven F. Lawson, *Black Ballots: Voting Rights in the South, 1944-1969* (Lanham, Maryland: Lexington Books, 1999), Table 2 (p. 284); Bernard Grofman, Lisa Handley, and Richard G. Niemi, *Minority Representation and the Quest for Voting Equality* (New York: Cambridge University Press, 1992), Table 1 (p. 23).

Exhibit 2 U.S. households with radios and/or televisions, 1946-1965

Year	Households with Radio Sets (thousands)	Households with TV Sets (thousands)
1946	33,998	8
1950	40,700	5,030
1955	45,900	30,700
1960	50,193	45,750
1965	55,200	52,700

Source: Adapted from Alexander J. Field, "Radio and television—stations, sets produced, and households with sets: 1921–2000," *Historical Statistics of the United States*, Millennial Edition Online, eds. Susan B. Carter, Scott Sigmund Gartner, Michael R. Haines, Alan L. Olmstead, Richard Sutch, and Gavin Wright (Cambridge University Press, 2006), Table Dg117-130.

Endnotes

¹ This account—including the remainder of this introduction—is based on Charles E. Fager, *Selma: The March That Changed the South*, 2nd ed. (Boston: Beacon Press, 1985), 73–86, 92–105 (orig. pub. 1974); David J. Garrow, *Bearing the Cross: Martin Luther King, Jr., and the Southern Christian Leadership Conference* (New York: Vintage, 1988), 397–405; Taylor Branch, *Pillar of Fire: America in the King Years, 1963–65* (New York: Simon and Schuster, 1998), 592–594, 597–599; Taylor Branch, *At Canaan's Edge: America in the King Years, 1965–68* (New York: Simon and Schuster, 2006), 8–9, 24–25, 38–39, 44–78. For a map of Selma in 1965, see J. Mills Thornton III, *Dividing Lines: Municipal Politics and the Struggle for Civil Rights in Montgomery, Birmingham, and Selma* (Tuscaloosa, AL: University of Alabama Press, 2002), 381.

² Quoted in Fager, *Selma*, 98.

³ Quoted in Garrow, *Bearing the Cross*, 402.

⁴ Quoted in *ibid.*, 403.

⁵ Fager, *Selma*, 103. The song started with the chorus, “Ain’t gonna let nobody turn me ‘round / Turn me ‘round, turn me ‘round / Ain’t gonna let nobody turn me ‘round / I’m gonna keep on a-walkin’, keep on a-talkin’ / marchin’ down to freedom’s land.” As singers added choruses, they would improvise, substituting words for “nobody,” such as “segregation,” or “injustice,” or “George Wallace.” Branch, however, suggests that this song was sung at a later point in the march (*At Canaan’s Edge*, 78).

⁶ Eric Foner, *Reconstruction: America’s Unfinished Revolution, 1863–1877* (New York: Harper Perennial, 2014), 279.

⁷ Alexander Keyssar, *The Right to Vote: The Contested History of Democracy in the United States*, rev. ed. (New York: Basic Books, 2009), 44–47, 315–320. The eight states that outlawed black voting were Delaware, Kentucky, Maryland, Ohio, New Jersey, Connecticut, Tennessee, and Pennsylvania. New York, meanwhile, starting in 1821, established various special, discriminatory suffrage requirements to discourage black voting, among them high property qualifications. An exception to this pattern was Rhode Island, which gave black men the vote in 1842 as part of the sweeping expansion of suffrage associated with the popular uprising known as “Dorr’s Rebellion.” Before this, black men in Rhode Island had not been specifically excluded from voting, but had effectively been excluded, along with most white men, by high property requirements for suffrage. Blacks were allowed to vote in some school committee elections in Michigan starting in 1855; and in Ohio, two 1842 court rulings that legal restrictions on “Negroes” did not apply to “mulattoes” allowed mixed-race men to vote there until 1859, when the state legislature took away voting rights from anyone who showed “a distinct and visible admixture of African blood.” See Paul Finkelman, “Prelude to the Fourteenth Amendment: Black Legal Rights in the Antebellum North,” *Rutgers Law Journal* 7 (1985–1986): 424, 424–426n54, 425, table 2; Keyssar, *Right to Vote*, 317.

⁸ Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War* (New York: Oxford University Press, 1970), 281–288; Xi Wang, *The Trial of Democracy: Black Suffrage and Northern Republicans, 1860–1910* (Athens: University of Georgia Press, 2012), 5–6, 22; Foner, *Reconstruction*, 315.

⁹ Foner, *Reconstruction*, 318, 352–359.

¹⁰ Peter Kolchin, *First Freedom: The Responses of Alabama’s Blacks to Emancipation and Reconstruction* (Westport, CT: Greenwood Press, 1972); Foner, *Reconstruction*, 7–10, 79, 80, 88–102.

¹¹ 16 Stat 140 (1870), §1; 17 Stat 13 (1871), §2.

¹² Keyssar, *Right to Vote*, 85.

¹³ Michael Perman, *Struggle for Mastery: Disfranchisement in the South, 1888–1908* (Chapel Hill: University of North Carolina Press, 2001), 18–19, 45–46, 11, 14. On shifting meaning of “Black Belt,” see Booker T. Washington, *Up from Slavery: An Autobiography* (Garden City, NY: Doubleday, 1901), 108.

¹⁴ On the shift in the Alabama Black Belt from Republican to Democrat, see Joseph H. Taylor, “Populism and Disfranchisement in Alabama,” *Journal of Negro History* 34, no. 4 (1949): 413.

¹⁵ Keyssar, *Right to Vote*, 85, 96.

¹⁶ *Ibid.*, 96–97, quotation at 97.

¹⁷ Perman, *Struggle for Mastery*, 46–47, quotation at 47. On voting restrictions outside the South, see also Keyssar, *Right to Vote*, 102–128.

¹⁸ Roger L. Ransom and Richard Sutch, "One Kind of Freedom Reconsidered (and Turbo Charged)," *Explorations in Economic History* 38 (2001), 6–39; Matthew J. Mancini, *One Dies, Get Another: Convict Leasing in the American South, 1866–1928* (Columbia: University of South Carolina Press, 1996), quotation at 1.

¹⁹ Douglas A. Blackmon, *Slavery by Another Name* (New York: Anchor Books, 2008); Jessie Carney Smith and Carrell Horton, eds., *Historical Statistics of Black America: Media to Vital Statistics* (Detroit: Gale Research, 1995), 1:493–494 (table 554).

²⁰ On "lily-white" juries in the South resulting from the "virtually total" exclusion of blacks from juries, and how this exclusion was a key part of a "structure of lawful and lawless racism," see Benno C. Schmidt Jr., "Juries, Jurisdiction, and Race Discrimination: The Lost Promise of *Strauder v. West Virginia*," *Texas Law Review* 61, no. 8 (May 1983): 1406–12. On the lack of prosecution for lynching of blacks, even in the mid-twentieth century, see Gunnar Myrdal's classic study, *An American Dilemma: The Negro Problem and Modern Democracy* (New Brunswick, NJ: Transaction Publishers, 1996 [1944]), esp. 2:562: "[L]ynchers are seldom indicted by a grand jury. Even more seldom are they sentenced, since the judge, the prosecutor, the jurors, and the witnesses are either in sympathy with the lynchers or do not want to press the case."

²¹ Perman, *Struggle for Mastery*, 15, 186. In sources from this period the older term "disfranchisement" was always used, but we use the more modern term "disenfranchisement" throughout the case, except in quotations.

²² The problem was succinctly stated in a *New York Times* headline regarding the Alabama convention: "Alabama's Negro Vote: Difficult Task Set Before the Constitutional Convention. Demand That White Supremacy Be Assured Is Attended by the Danger of Nullification." Quoted in R. Volney Riser, *Defying Disfranchisement: Black Voting Rights Activism in the Jim Crow South, 1890–1908* (Baton Rouge: LSU Press, 2010), 114.

²³ Perman, *Struggle for Mastery*, 54.

²⁴ Riser, *Defying Disfranchisement*, 78–79; *Guinn v. United States*, 238 U.S. 347 (1915). Grandfather clauses could have unintended effects. After Alabama instituted one, poor white voters turned out to be reluctant to take advantage of it, because they saw doing so as a humiliating admission of ignorance and poverty. See Riser, *Defying Disfranchisement*, 143, 149.

²⁵ Riser, *Defying Disfranchisement*, 146.

²⁶ *Giles v. Harris*, 189 US 475 (1903), 484–488; Riser, *Defying Disfranchisement*, 150, 1–2.

²⁷ Perman, *Struggle for Mastery*, 298, 147, 193, 313, 33–35; Steven F. Lawson, *Black Ballots: Voting Rights in the South, 1944–1969* (Lanham, MD: Lexington Books, 1999), 14–15; Smith and Horton, *Historical Statistics of Black America*, 2:1293–1294 (table 1541).

²⁸ Perman, *Struggle for Mastery*, 299–303, 307. The U.S. Supreme Court ruled in *Newberry v. United States*, 256 U.S. 232 (1921), that primaries were not part of the electoral process covered by the Fifteenth Amendment. Although *Newberry* did not directly concern the constitutionality of the white primary, civil rights activists came to recognize it as a ruling that had to be reversed before the white primary could be successfully challenged. See Lawson, *Black Ballots*, 40.

²⁹ Perman, *Struggle for Mastery*, 245–246.

³⁰ August Meier and Elliot Rudwick, "The Boycott Movement against Jim Crow Streetcars in the South, 1900–1906," in Meier and Rudwick, *Along the Color Line: Explorations in the Black Experience* (Urbana: University of Illinois Press, 1976), 267–289.

³¹ 163 U.S. 537 (1896), 551, 552.

³² Thornton, *Dividing Lines*, 44, 57–58.

³³ See Smith and Horton, *Historical Statistics of Black America*, 2:1509, 1589–1590 (tables 1725, 1800).

³⁴ Thornton, *Dividing Lines*, 384, 385; Blackmon, *Slavery by Another Name*, 377–82; Smith and Horton, *Historical Statistics of Black America*, 1:493–95 (table 554). The illiteracy rate among blacks in the South fell from 33.3 percent to 19.7 percent between 1910 and 1930 (*ibid.*, 685 [table 811]). Martin Luther King Jr.'s father, the senior MLK, exemplified the educational opportunities afforded by urbanization. The son of sharecroppers, he moved from rural Georgia to Atlanta as a semiliterate teenager around 1915. Once there, he worked his way through high school, attended college, and in 1931 became pastor of one of the largest black churches in the city. See Taylor Branch, *Parting the Waters: America in the King Years, 1954–63* (New York: Simon and Schuster, 1988), 34–38.

³⁵ White quoted in Eric Anderson, *Race and Politics in North Carolina, 1872–1901: The Black Second* (Baton Rouge: Louisiana State University Press, 1981), 308.

³⁶ Isabel Wilkerson, *The Warmth of Other Suns: The Epic Story of America's Great Migration* (New York: Random House, 2010), 160–161, 217–218, 556n9; Smith and Horton, *Historical Statistics of Black America*, 2:1509–1510, table 1726.

³⁷ On this episode, see Allida M. Black, "Championing a Champion: Eleanor Roosevelt and the Marian Anderson 'Freedom Concert,'" *Presidential Studies Quarterly* 20, no. 4 (1990): 719-736.

³⁸ Democratic Platform, 1948. Available online at <http://www.presidency.ucsb.edu/ws/?pid=29599>.

³⁹ Sasha Torres, "'In a Crisis, We Must Have a Sense of Drama': Civil Rights and Televisual Information," in *Channeling Blackness: Studies on Television and Race in America*, ed. Darnell M. Hunt (New York: Oxford University Press, 2005), 245.

⁴⁰ Truman won a larger percentage of the black vote than Franklin Roosevelt ever had, and black votes seem to have provided his margin of victory in Ohio, Illinois, and California, which gave him his Electoral College majority. See Howard Sitkoff, "Harry Truman and the Election of 1948: The Coming of Age of Civil Rights in American Politics," *Journal of Southern History* 37, no. 4 (1971): 613.

⁴¹ Keyssar, *Right to Vote*, 182-183, quotation at 196.

⁴² Quoted in Langston Hughes, *Fight for Freedom and Other Writings on Civil Rights*, in *The Collected Works of Langston Hughes*, ed. Arnold Rampersad, vol. 10 (Columbia: University of Missouri Press, 2001), 41.

⁴³ By the end of 1919 there were 310 NAACP branches with a total membership of 91,203 (42,588 in the South). Nine-tenths of the members were black. See Charles Flint Kellogg, *NAACP: A History of the National Association for the Advancement of Colored People*, vol. 1: 1909-1920 (Baltimore: Johns Hopkins University Press, 1967), 137. See also, Stephen Weinberger, "The Birth of a Nation and the Making of the NAACP," *Journal of American Studies* 45, no. 1 (2011), 77-93.

⁴⁴ *Smith v. Allwright*, 321 U.S. 649 (1944); Lawson, *Black Ballots*, 124-139.

⁴⁵ 347 U.S. 483 (1954), 495; "HIGH COURT BANS SCHOOL SEGREGATION; 9-TO-0 DECISION GRANTS TIME TO COMPLY," *New York Times*, 18 May 1954, 1.

⁴⁶ Thornton, *Dividing Lines*, 29, 33, 53-54. On the founding of the NAACP branch, see <http://naacp-al.org/>.

⁴⁷ Thornton, *Dividing Lines*, 37-39, 52. Business leaders were concerned that between 1953 and 1955, five large national corporations, including DuPont, had decided against building factories in Montgomery.

⁴⁸ *Ibid.*, 41-45.

⁴⁹ *Ibid.*, 57-62.

⁵⁰ The unsuccessful black boycott against the introduction of Jim Crow streetcars in Montgomery itself in 1900-1902 seems to have been forgotten. See *ibid.*, 57, 42-43; Branch, *Parting the Waters*, 145.

⁵¹ Thornton, *Dividing Lines*, 62-63; Garrow, *Bearing the Cross*, 17-18, 24-26; Branch, *Parting the Waters*, 137-38.

⁵² Branch, *Parting the Waters*, 166, 143, 189, 204-205, quotation at 149.

⁵³ In 1915 a new Klan had been created in response to *Birth of a Nation*, the first Hollywood feature film and one of the most popular movies in history, which had portrayed the Reconstruction-era Klan as heroic. This new Klan flourished in the 1920s, mostly outside the South, with millions of members, its concerns more with immigrants and feminists than with blacks, before it declined in the wake of financial and ethical scandals involving its leaders. It had lingered on in the South, however, and revived during the civil rights era. See Wyn Craig Wade, *The Fiery Cross: The Ku Klux Klan in America* (New York: Simon and Schuster, 1987).

⁵⁴ Thornton, *Dividing Lines*, 73, quotations at 97, 402, 403.

⁵⁵ Thornton, *Dividing Lines*, 64-65, 72-77; Branch, *Parting the Waters*, 155-163. The boycotters initially also demanded that white drivers treat black passengers courteously, but the city government responded by denying that white drivers had ever been discourteous to blacks, "except in the rarest instances" (Thornton, *Dividing Lines*, 65).

⁵⁶ The Supreme Court would rule in 1958 that Alabama had violated the constitutional rights of its citizens by its actions against the NAACP, but the state of Alabama refused to back down, and the issue would not be resolved until a second Supreme Court ruling in 1964. Branch, *Parting the Waters*, 186-187. See also *NAACP v. Alabama*, 357 U.S. 449 (1958) and *NAACP v. Alabama* 377 U.S. 288 (1964).

⁵⁷ Branch, *Parting the Waters*, 168. The two Democratic senators from Alabama denounced the Selective Service Office's "political" intervention in Gray's case and demanded a congressional investigation (*ibid.*, 192n).

⁵⁸ Ibid., 163–168, 173–174, 185; Thornton, 81–83, 88–89; Garrow, *Bearing the Cross*, quotation at 64. For the *New York Times* coverage, see, for example, the following: “Buses Boycotted over Race Issue,” 5 Dec. 1955, 31; “Bus Boycott Continues,” 10 Dec. 1955, 13; “Negro Bus Boycott Still On,” 20 Dec. 1955, 33; “Alabama Indicts 115 in Negro Bus Boycott,” 22 Feb. 1956, 1; “Negro Leaders Arrested in Alabama Bus Boycott,” 23 Feb. 1956, 1; “Negroes Pledge to Keep Boycott,” 24 Feb. 1956, 1.

⁵⁹ Garrow, *Bearing the Cross*, 77–78, 80–82.

⁶⁰ “The South: Attack on the Conscience,” *Time*, 18 Feb. 1957, 19.

⁶¹ Branch, *Parting the Waters*, 225, 228–229, 231–232; Garrow, *Bearing the Cross*, 85–86, 90, 97, 102–104, 111; Martin Luther King Jr., *Stride towards Freedom: The Montgomery Story* (New York: Harper and Row, 1958).

⁶² Branch, *Parting the Waters*, 223.

⁶³ Lawson, *Black Ballots*, 175–176.

⁶⁴ A national Gallup poll, taken shortly after the 1957 Civil Rights Act was approved, found that 29 percent of adults surveyed thought segregation should be ended in the “near future,” 45 percent thought it should be ended “gradually,” and 19 percent said they opposed integration, with the balance expressing no opinion or not answering. See Gallup Poll #589, conducted 19–24 September 1957 (USAIPO1957-0589), question 29. The poll is available at <https://ropercenter.cornell.edu/CFIDE/cf/action/catalog/abstract.cfm?archno=USAIPO1957-0589>.

⁶⁵ 71 Stat. 634. See Branch, *Parting the Waters*, 220–221; Lawson, *Black Ballots*, 140–202.

⁶⁶ Thirty-seven percent responded “no,” with the remainder expressing “no opinion” or not answering. See Gallup Poll #614, conducted 29 May to 3 June 1959 (USAIPO1959-0614), question 31A. The exact wording of the query was: “It’s been five years now since the Supreme Court ruled on segregation in the schools. When you look at the record of what’s happened since then, do you think this decision caused a lot more trouble than it was worth or not?” The poll is available at <https://ropercenter.cornell.edu/CFIDE/cf/action/catalog/abstract.cfm?archno=USAIPO1959-0614>.

⁶⁷ Branch, *Parting the Waters*, 270–273.

⁶⁸ Ibid., 272, 278–284; Thornton, *Dividing Lines*, 113–17.

⁶⁹ Garrow, *Bearing the Cross*, 131–134, 143–145; Branch, *Parting the Waters*, 291–292, 350–352, 356–358.

⁷⁰ Garrow, *Bearing the Cross*, 142–143, 145–147; Branch, *Parting the Waters*, 359.

⁷¹ Lawson, *Black Ballots*, 141, 161–162, 251–257, 389n98; Garrow, *Bearing the Cross*, 118–119, 147–148; Branch, *Parting the Waters*, 343, 362–367.

⁷² Branch, *Parting the Waters*, 366–370, 373–378. See also Lawson, *Black Ballots*, 256: “An analysis of the returns demonstrated that Negro ballots were enough to give the Democratic contender a winning margin in New Jersey, Michigan, Illinois, Texas, and South Carolina, all states that had supported [Republican President Dwight] Eisenhower in 1956. Had the Republican–Democratic division in the black districts of these states broken down the same way as four years earlier, Richard Nixon would have become the thirty-fifth President.”

⁷³ Taylor Branch, *The King Years: Historic Moments in the Civil Rights Movement* (New York: Simon and Schuster, 2013), 24.

⁷⁴ Branch, *Parting the Waters*, 408–411; Lawson, *Black Ballots*, 266–271, 273–274.

⁷⁵ *Morgan v. Virginia*, 328 U.S. 373 (1946); *Boynton v. Virginia*, 364 U.S. 454 (1960); *Sarah Keys v. Carolina Coach Company*, 64 MCC 769 (1955); Branch, *Parting the Waters*, 417.

⁷⁶ Branch, *Parting the Waters*, 412; Garrow, *Bearing the Cross*, quotation at 154–155.

⁷⁷ Garrow, *Bearing the Cross*, 156; Branch, *Parting the Waters*, 417–424, 427–430; Raymond Arsenault, *Freedom Riders: 1961 and the Struggle for Racial Justice* (New York: Oxford University Press, 2006), 153, 159.

⁷⁸ Branch, *Parting the Waters*, 430–432, 436–450; Arsenault, *Freedom Riders*, 137.

⁷⁹ Branch, *Parting the Waters*, 451–478, 483–485; Arsenault, *Freedom Riders*, 164–173, 349–358, 364, 422–423, 492.

⁸⁰ Quoted in Garrow, *Bearing the Cross*, 172.

⁸¹ Ibid., 176, 180–188, 203–204; Branch, *Parting the Waters*, 524–558, 601–607.

⁸² Garrow, *Bearing the Cross*, 225–230; Branch, *Parting the Waters*, 647–671, 689–692. Shuttlesworth was still regarded as a leader in Birmingham even though in 1961 he had moved to become pastor of a church in Cincinnati, Ohio.

⁸³ “Inaugural Address of Governor Wallace,” <http://digital.archives.alabama.gov/cdm/singleitem/collection/voices/id/2952/rec/5>, p. 2. Ellipses in the original.

⁸⁴ Thornton, *Dividing Lines*, 199–200, 221–222, 232–235; Branch, *Parting the Waters*, 198, 683.

⁸⁵ Patricia Sullivan, ed., *Freedom Writer: Virginia Foster Durr, Letters from the Civil Rights Years* (Athens, GA: University of Georgia Press, 2006), 11–12. Sullivan notes that when a “police officer informed the First Lady that she could not sit in the ‘colored’ section [because] it was against the law,” Roosevelt “took her chair and placed it in the middle of the aisle separating the two groups” (11–12).

⁸⁶ Thornton, *Dividing Lines*, 152–153, 179–184 (the charges against Connor, leading up to his initial departure in 1952, were serious even before investigators discovered, in 1954, that dozens of his officers had run a burglary ring), 201, 240–244, “incompetence” quotation at 181; Garrow, *Bearing the Cross*, quotation at 251.

⁸⁷ In 1961 Sidney Smyer, the incoming president of the Birmingham Chamber of Commerce, was leading a business delegation to a Rotarian convention in Tokyo when photographs of the Freedom Ride riot in the Birmingham bus terminal appeared on front pages of Japanese newspapers. “Smyer found himself the object of cold stares and perplexed questions from his Japanese hosts and assembled international businessmen, who suddenly lost interest in Birmingham’s climate of investment. Words failed Smyer and his Birmingham friends as they tried to explain that the incident was grossly unrepresentative of their city. . . . Smyer, though a stout segregationist and a Dixiecrat from 1948, told his Birmingham colleagues that something must be done about Bull Connor.” Smyer became a leader of the effort to change the city charter to remove Connor from office. Branch, *Parting the Waters*, 425–426, 643–644.

⁸⁸ Thornton, *Dividing Lines*, 251–259, 271–273, 285–286, 290, 297–299; Garrow, *Bearing the Cross*, 237–239.

⁸⁹ Garrow, *Bearing the Cross*, 239–250; Branch, *Parting the Waters*, 756–764.

⁹⁰ Branch, *Parting the Waters*, 774–791; Thornton, *Dividing Lines*, 332.

⁹¹ Branch, *Parting the Waters*, 793–796, 888–892; Thornton, *Dividing Lines*, 331–379.

⁹² Branch, *Parting the Waters*, 825.

⁹³ Smith and Horton, *Historical Statistics of Black America*, 2:1260, table 1498.

⁹⁴ Quoted in Branch, *Parting the Waters*, 824. Just minutes after Kennedy went off the air, an assassin shot and killed Medgar Evers, the director of the NAACP in Mississippi, outside his home.

⁹⁵ Branch, *Parting the Waters*, 876–883; “America’s Gandhi: Martin Luther King, Jr.,” *Time*, 3 Jan. 1964.

⁹⁶ 78 Stat. 241; Julian E. Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society* (New York: Penguin Press, 2015), 85–130; Taylor Branch, *Pillar of Fire: America in the King Years, 1963–1965* (New York: Simon and Schuster, 1998), 387–388.

⁹⁷ Lawson, *Black Ballots*, 216–217, 415n4; Branch, *Parting the Waters*, 331–335.

⁹⁸ Branch, *Parting the Waters*, 408–411; Lawson, *Black Ballots*, 266–271.

⁹⁹ Keyssar, *Right to Vote*, 210; Lawson, *Black Ballots*, 261–265, 284 (table 2).

¹⁰⁰ Lawson, *Black Ballots*, 261.

¹⁰¹ Barbara Ransby, *Ella Baker and the Black Freedom Movement: A Radical Democratic Vision* (Chapel Hill: University of North Carolina Press, 2003), 269–270.

¹⁰² Branch, *Parting the Waters*, 325–329, 486–487, 492–500, 503–504, 507–514, 518–523, 713–725; *Pillar of Fire*, 66–74, 351–352.

¹⁰³ Lawson, *Black Ballots*, 285–286, 284 (table 2); Branch, *Pillar of Fire*, 156–159.

¹⁰⁴ Doug McAdam, *Freedom Summer* (New York: Oxford University Press, 1988), 77, 96; Branch, *Pillar of Fire*, 361–374, 399–400, 508–509. The FBI had no office in Mississippi at this time, and the FBI director, J. Edgar Hoover, viewed King as a Communist-influenced threat to national security and so kept him under continual wiretap surveillance. He was also angered by King’s occasional criticism of the way the FBI handled civil rights cases. In 1964, shortly before King went to Sweden to receive the

Nobel Peace Prize, Hoover told reporters that he considered King “the most notorious liar in the United States” (Branch, *Pillar of Fire*, 526).

¹⁰⁵ Branch, *Pillar of Fire*, 456–476, 291, 300, 310, 403, 405, 356–57. More than 80 percent of Republicans in the House and Senate had voted in favor of the Civil Rights Act.

¹⁰⁶ Ibid., 466, 471–472, quotation at 474; Lawson, *Black Ballots*, 302–306. One of the Alabama delegates was Bull Connor.

¹⁰⁷ Branch, *Pillar of Fire*, 522–523.

¹⁰⁸ Garrow, *Bearing the Cross*, 349.

¹⁰⁹ Branch, *Pillar of Fire*, 63; Thornton, *Dividing Lines*, 400, 406–407, 425–428, 420, 430–434, 467–468; Stephen Oakes, “Introduction,” in Fager, *Selma*, xiii.

¹¹⁰ Representatives from the DCVL had been key witnesses before the televised hearings of the Civil Rights Commission in 1958, which had first dramatized disenfranchisement for many Americans. Thornton, *Dividing Lines*, 440.

¹¹¹ Ibid., 448–452, 455, 458–459, 461, 463, 476–477.

¹¹² Ibid., 481–485; Garrow, *Bearing the Cross*, 382–386. Fager (*Selma*, 58–59), portrays the injunction as a ruse, because the registrar’s office did not have to stay open more than two days a month; yet Thornton notes that it could have stayed open more days, and could and soon did process more than a hundred applications a day. The question was, would Judge Thomas have made the office stay open. Fager assumes, as did many civil rights activists, that he would not, because he regarded Thomas as at heart a segregationist, based on a series of conservative rulings Thomas had handed down in civil rights cases. Yet Thornton believes Thomas to have been, in fact, a moderate, who wanted segregation to end but thought (to quote Thomas himself) that racial issues “must be resolved, and should be resolved, by the people, and not by the courts.” In the early 1960s Thomas had hoped that a go-slow approach of not forcing civil rights on the white South would achieve the peaceful, gradual acquiescence of southern white officials to the new laws. By the time of his 1965 injunction, however, Thornton argues, Thomas had reluctantly concluded that not enough southern white officials were men of goodwill for this hands-off strategy to work. See Thornton, *Dividing Lines*, 442–446.

¹¹³ Thornton, *Dividing Lines*, 480, 486; Fager, *Selma*, 74.