

# Nonviolent Resistance

## Birmingham, Alabama, 1963

*Historical Revision*

### Background

On December 1, 1955, Rosa Parks violated the segregation laws in Montgomery, Alabama, by refusing to give her seat on a city bus to a white person. The law forced blacks to take a seat in the back of the bus and to give up their seat when there were none available for whites, could empty rows of seats "to keep a Negro man's legs from coming too close to a white woman's knees," and forced blacks to "stand up even when there were empty seats on the bus."<sup>1</sup> Mrs. Parks' actions led to her arrest. Black leaders in Montgomery had been looking for an incident that would allow them to challenge the racial segregation on buses. There had been cases considered before but each of the individuals who had been arrested had personal problems that disqualified them as possible defendants.<sup>2</sup> Mrs. Parks was a respected individual in the black community: "humble enough to be claimed by the common folk, and yet dignified enough in manner, speech, and dress to command the respect of the leading classes."<sup>3</sup> Leaders of the black community, especially E. D. Nixon and members of the Women's Political Council (led by Jo Ann Robinson), organized a protest that called for a total boycott of city buses by black riders.<sup>4</sup> The boycott was successful because the black community nonviolently boycotted city buses for over a year. On November 13, 1956, the U.S. Supreme Court ruled that segregation of races on buses was unconstitutional.<sup>5</sup> Montgomery buses were desegregated but not without bitterness and reprisals in the community.

The boycott provided a catalyst for dissent in other parts of the South. A young Montgomery minister, Martin Luther King, Jr., had been the surprising choice to lead the Montgomery struggle. Under Dr. King's leadership, the boycott demonstrated the power of nonviolent resistance and nonviolent civil disobedience as a tool for African Americans. The success in Montgomery led many leaders of the civil rights movement to chose nonviolence as their principal strategy of agitation for the next

decade. The victory in Montgomery helped lead to dramatic changes in other regions of the South.

*NAACP*  
The strategy in Montgomery signaled a significant shift in tactics for civil rights advocates. Previously, the black community had depended mainly on the National Association for the Advancement of Colored People (NAACP) to promote change. The NAACP worked through the legal system to attempt to solve civil rights problems. Legal actions by the NAACP had led to significant gains, most notably the 1954 Supreme Court decision outlawing segregation in public schools. The Montgomery boycott demonstrated to many that legal processes were too slow to be a practical solution for the many grievances of blacks. Thereafter, even NAACP officials joined in a number of protests that involved nonviolent resistance.

*Sit-ins*  
Another major catalyst for dissent was the sit-in strike that began on February 1, 1960. A group of students from North Carolina Agricultural and Technical College in Greensboro, North Carolina, sat down at a whites-only lunch counter at Woolworth's and asked for service. Although lunch counters in Woolworth's were integrated in other parts of the country, in the South blacks ate at a stand-up snack bar. Blacks could drink only at fountains designated for blacks, swim only at segregated beaches, sit in separate balconies at movie theaters, and use only designated restroom facilities. The sit-in "helped define the new decade" and created the tactic of "seeking out a nonviolent confrontation with the segregation laws."<sup>6</sup>

Other sit-ins were quickly organized throughout the South, including several actions by a well-organized group in Nashville, Tennessee.<sup>7</sup> The movement in Nashville produced many of the most significant young black leaders of the 1960s. Other student groups used nonviolent confrontation in "jail-ins" as well as "stand-ins at theatres, kneel-ins at churches, and wade-ins at public beaches."<sup>8</sup> The success of the sit-ins led to the creation of the Student Nonviolent Coordinating Committee (SNCC). The next chapter will focus on SNCC and its campaign for voting rights in Mississippi.

*FREEDOM RIDERS*  
The southern establishment fought other attempts to desegregate facilities throughout the South. Rest rooms and waiting rooms in most train and bus depots remained segregated in violation of federal laws that outlawed segregation in interstate transportation. To openly protest the segregation, an integrated group known as the Freedom Riders boarded interstate buses in the North and rode into the South in order to cause "the racists of the South to create a crisis so that the federal government would be compelled to enforce the law."<sup>9</sup> At each stop, the Freedom Riders attempted to violate the segregation enforced in waiting rooms, rest rooms, and restaurants. Eventually more than 400 volunteers from 40 states traveled on buses from late May to mid-September 1961, when Attorney General Robert Kennedy petitioned the Interstate Commerce Commission to issue tougher regulations and fines that eventually ended the segregated bus facilities.

All the volunteers were trained in nonviolence tactics, and most of the riders were college students. They would often sing freedom songs to buoy their spirits. Officials charged the riders with breach of peace. The Riders responded with a strategy of "jail, no bail" to clog the prisons. Many would "endure six weeks in sweltering jail or prison cells rife with mice, insects, soiled mattresses and open toilets."<sup>10</sup>

Frequently, Freedom Riders encountered hostility and violence from the residents of cities whose bus depots were the targets of their agitation. Sometimes the agitators were arrested, but more often the police simply ignored them and left the task of suppression to vigilante-type mobs. This tactic of police avoidance and mob suppression was especially flagrant in Birmingham, Alabama. According to Gordon E. Misner, "the greatest violence took place" in that city.<sup>11</sup> On May 14, 1961, white mobs brutally beat a group of Freedom Riders. The police were conspicuously absent from the scene for fifteen minutes, even though the police station was near the bus depot.<sup>12</sup> The beating and abuse of the Freedom Riders focused national attention for the first time on Birmingham's Commissioner of Public Safety, Eugene "Bull" Connor.<sup>13</sup> Connor denied that he had "promised the Klan fifteen minutes of batting practice before he sent his cops to the scene."<sup>14</sup> Connor came to epitomize the southern establishment's response to nonviolent resistance and provided the dissenters a flag individual for their rhetorical attacks.

The *Birmingham News*, which had supported Connor for Commissioner of Public Safety, denounced the police failure to intervene. When pressed to explain his actions, Connor referred to the Freedom Riders as "out-of-town meddlers" who "were going to cause bloodshed if they kept meddling in the South's business." He said that it was unfortunate that the events occurred on "Sunday, Mother's Day, when we try to let off as many of our policemen as possible so they can spend Mother's Day at home with their families."<sup>15</sup>

The media in Birmingham and throughout the nation were not convinced by Connor's explanation. The media broadcast news about the events in Birmingham around the world. Sidney Smyer, president of the Birmingham Chamber of Commerce, was attending a conference in Tokyo. Pictures from Birmingham were published in Japanese papers, leading to "cold stares and perplexed questions" by participants at the conference.<sup>16</sup> The negative coverage resulted in threats from business suppliers and buyers to boycott Birmingham industries and products. The threatened boycott shocked some business leaders and forced them to begin rethinking segregation in Birmingham. Connor's actions also alienated many of the most important business leaders, thus denying him an important group of supporters.<sup>17</sup> Two years later, civil rights leaders in Birmingham staged a nonviolent campaign that changed many racial attitudes in Birmingham and "brought about the end of apartheid in America."<sup>18</sup>

Flag individual

## Ideology of the Agitators

The movement in Birmingham was led by black ministers, a unique group of agitators in the United States. W. E. B. Du Bois stated that "the preacher is the most unique personality developed by the Negro on American soil."<sup>19</sup>

Although the goal of the civil rights movement called for complete equality for blacks, the instances of creative disorder in most campaigns had been confined to specific activities for specific ends.<sup>20</sup> The Montgomery boycott was undertaken to end segregation on city buses. Sit-ins at lunch counters were aimed at desegregating lunch counters. Although they set out to achieve specific goals, the campaigns inspired people to unite and attempt to change additional practices in their communities and the campaigns were linked to the broader movement for civil rights in the country.

The Birmingham leaders grouped their demands into four categories. In a city where only "the bus station, the train station and the airport"<sup>21</sup> were integrated (after violent suppression), the agitators sought:

1. The desegregation of lunch counters, rest rooms, fitting rooms, and drinking fountains in variety and department stores.
2. The upgrading and hiring of Negroes on a nondiscriminatory basis throughout the business and industrial community of Birmingham.
3. The dropping of all charges against jailed demonstrators.
4. The creation of a biracial committee to work out a timetable for desegregation in other areas of Birmingham life.<sup>22</sup>

As indicated by the list of demands, the agitators' goals were partly economic and partly political, partly short term and partly long term.

The ideology of the Birmingham agitators included more than a statement of goals, however. It also included a strong commitment to specific means: nonviolent resistance. Dr. King himself was committed to this strategy and other leaders of the Birmingham movement, including the Reverend Fred Shuttlesworth, recognized that nonviolence was the most realistic strategy to adopt. Shuttlesworth also believed that "sometimes an oppressed people had to provoke their oppressors."<sup>23</sup>

The participants in nonviolent movements were always carefully trained before the action. The training was particularly intense in Birmingham; each stage of the movement was carefully planned in advance. The movement was called "Project C—for Confrontation."<sup>24</sup> King and his followers had suffered defeats in places like Albany, Georgia, in 1962 because of a lack of planning and coordination. They vowed not to make the same mistakes in Birmingham.

The activists also faced the task of convincing the leaders of many black churches and successful black businessmen—particularly A. G. Gaston, the richest black in Birmingham—to join the protests. Many

black ministers strongly opposed any demonstrations and hoped that King would not come to Birmingham. In the beginning, the black leaders opposed any dissent, but eventually they joined because of the actions of the police and white politicians.

The establishment in Birmingham was white. Many of the most powerful individuals were leaders of corporations that were based outside of Birmingham and were susceptible to economic pressure. If the establishment were to adjust, the black leadership required the cooperation of legitimizers—whites whose opinions would be accepted by members of the establishment. If the agitation were violent, the likelihood of sympathetic responses from legitimizers was unlikely. Although the commitment to nonviolence was violated occasionally during the late stages of the agitation, the isolated violent acts of the agitators could be interpreted as expression of frustration rather than instrumental to their goals. An overall strategy of violence for the agitators would have made no sense because they would have been crushed.

### Ideology of the Establishment

For an understanding of the agitation in Birmingham, a distinction must be made between two separate but related establishments: the political establishment and the business establishment. The most visible part of the establishment was the local government. As the establishment controlling political power, it was the target of the principal demonstrations. Those demonstrations encountered the most violent suppression.

Typical spokespersons for the political establishment were Eugene "Bull" Connor, Mayor Arthur Hanes, Albert Boutwell, and Alabama Governor George Wallace. They reflected the dominant values of the white community. The ideology's central value was a strongly internalized commitment to the maintenance of segregation. Blacks, according to the ideology, were inherently inferior to whites and any attempts to break racial barriers would lead to marriage or sexual relations between races, which would lead to a dilution of the superior white race. Further, those who accepted this dominant ideology claimed that the overwhelming majority of African Americans in the South were content with segregation. Like many establishments in the 1960s, the leaders in Birmingham claimed that no disorder would occur without "outside agitators," a label often linked to Communists. The response of the political establishment to demands for integration and equality was "NEVER." Members of the establishment intended to support that slogan in Birmingham, where they were fully confident that the fear in the hearts of local blacks would make successful civil rights agitation impossible. At his inauguration, George Wallace had promised, "Segregation now, segregation tomorrow, segregation forever!"

Leaders like Commissioner Connor and Governor Wallace did not speak for all southerners or even for all southern whites. In fact, Connor was voted out of office in April 1963. As mentioned earlier, he was criticized by former supporters for his violent handling of civil rights crises. Nevertheless, more moderate views were not significantly represented in the political decisions made by the Birmingham political establishment before 1963.

The *New York Times* quoted some typical statements that clearly reveal the attitudes of segregationists. Watching the arrest of young demonstrators in 1963, Connor said, "Boy, if that's religion, I don't want any. . . . If you'd ask half of them what freedom means, they couldn't tell you."<sup>25</sup> Mayor Hanes called those willing to grant the agitators' demands "a bunch of . . . gutless traitors."<sup>26</sup> Hanes said that Martin Luther King, Jr., was "a revolutionary. The nigger King ought to be investigated by the Attorney General." But Hanes had little faith in Attorney General Robert Kennedy, saying about him, "I hope that every drop of blood that's spilled he tastes in his throat, and I hope he chokes on it."<sup>27</sup>

What kind of status quo did the political establishment seek to preserve? Birmingham was a strictly segregated society. Whites occupied all positions with civic and economic power. The police force was all white. The city administration was all white. City facilities, including parks, were segregated. Of 80,000 registered voters in Birmingham, only 10,000 were blacks, even though African Americans constituted 40 percent of the population. Paul Hemphill described Birmingham as "the most blatantly segregated city of its size in the United States."<sup>28</sup> The newspapers in Birmingham rarely acknowledged the presence of blacks in Birmingham and refused to cover the dissent. Most information about the protests came from reporters for newspapers outside Birmingham.

Segregation was enforced by intimidation and coercive power. Crimes against the persons and property of blacks were virtually certain to go unsolved, and the police were likely to turn the other way when blacks were abused. One major tactic was the use of bombs against black property. There were so many bombings that the city was called "Bombingham." Of the fifty bombings directed against African Americans that occurred between World War II and 1963, not one resulted in an arrest and conviction. Seventeen of the bombings happened between 1957 and 1963.<sup>29</sup> The day after four little black girls attending Sunday school (September 16, 1963) were killed by a bomb, Charles Morgan, Jr., a young Birmingham lawyer, said:

There are no Negro policemen; there are no Negro sheriffs deputies. Few Negroes have served on juries. Few have been allowed to vote, few have been allowed to accept responsibility, or granted even a simple part to play in the administration of justice. Do not misunderstand me. It is not that I think that white policemen had anything whatsoever to do with the killing of these children or previous bomb-

ings. It's just that Negroes who see the all-white police force must think in terms of its failure to prevent or solve the bombings and think perhaps Negroes would have worked a little bit harder.<sup>30</sup>

The political establishment had strong links to the Ku Klux Klan (KKK) and the White Citizens' Council. Connor used the Klan to his advantage and, in some cases, to do his dirty work. Connor and the police also received support and information from the FBI, which was more willing to investigate civil rights leaders than crimes by members of the establishment and their supporters. The head of the FBI, J. Edgar Hoover, believed that King was an enemy of freedom, and he did what he could to defeat King.<sup>31</sup>

The second establishment in Birmingham relevant to the agitation was the business community, the individuals known as the "Big Mules" in Birmingham. Business leaders were resistant to the demands of the agitators but not intransigent. They were the ones who eventually agreed to the adjustments that the agitation achieved because of the economic pressure applied by the protestors.

The ideology of the business establishment placed a high value on law and order, particularly in terms of the preservation and enhancement of property. The city had a history of defeating dissent, which began with the labor movement of the 1930s. Business leaders had no particular stake in segregation or integration, but they had a huge stake in the economic health of Birmingham. In spite of their resistance to change, the business leaders might have been sympathetic to integration because most of their companies were branches of northern-based industries, notably U.S. Steel. As James Reston wrote, the city's "commercial and industrial ties . . . run to New York and Pittsburgh rather than to Atlanta or New Orleans."<sup>32</sup> Unfortunately, the leaders of those businesses made little or no effort to help change the social conditions in the community. The Big Mules "had little in common with Bull Connor, this unseemly little martinet down at city hall, but by their silence they had conferred power on him and thereby allowed a monster to flourish."<sup>33</sup>

Birmingham's agitators, then, were faced with two separate ideologies that supported the status quo. One was strongly committed to the continuation of segregation and to the enforcement of that system by coercive power. The other had no particular value stake in segregation but strongly sought law and order for the protection of business. The business community felt that law and order would most likely be achieved by continuation of the status quo.

## Petition and Avoidance

The organization directed by Dr. King, the Southern Christian Leadership Conference (SCLC), had numerous affiliates in the South. One

affiliate, the Alabama Christian Movement for Human Rights (ACHR), had been operating since 1956 under the leadership of Reverend Fred Shuttlesworth. King and Shuttlesworth both believed in nonviolence, but they had different views of how to use the tactic: "King with his instinct for conciliation, Shuttlesworth for confrontation."<sup>34</sup>

ACHR had made several attempts to change the racial climate of Birmingham. Efforts to negotiate with the political establishment failed because the establishment was dominated by people opposed to change, such as Mayor Hanes and Commissioner Connor. Reverend Shuttlesworth and his organization saw more hope, although it was dim, in negotiations with the business establishment. Several sit-ins had been staged before 1962, but they had been ineffective.

The national convention of the SCLC was scheduled to be held in Birmingham in September of 1962. The planning of the conference apparently included some tentative discussion of the possibility of nonviolent resistance by the delegates and their Birmingham colleagues.<sup>35</sup> Rumors of proposed marches and dissent were effectively used by black leaders throughout the movement in Birmingham. The FBI had informants at the convention who fed information to headquarters in Washington, D.C.<sup>36</sup>

The SCLC convention gave Reverend Shuttlesworth additional bargaining leverage. The business establishment, represented by the Senior Citizens Committee, entered into negotiations with him and other representatives of the Birmingham black community. Those negotiations resulted in some concessions, including the removal of "Whites Only" signs in many department stores. "As a first step," wrote Dr. King, "some of the merchants agreed to join in a suit with ACHR to seek nullification of city ordinances forbidding integration at lunch counters."<sup>37</sup>

Shortly after the conclusion of the convention, the business establishment ignored the agreement. Shuttlesworth's prediction to King during the convention was correct: "They took those signs down because you were coming to town, and they'll put them up again as soon as you leave."<sup>38</sup> The adjustment had apparently been made only temporarily, under the threat of a demonstration campaign by SCLC. Actually, the actions had been part of a strategy of avoidance. The merchants were forced to restore Jim Crowism (laws that enforced the separation of the races) due to pressure from the political establishment, particularly from Connor. SCLC decided to act.

### Promulgation and Solidification

Before SCLC began demonstrations, they sent representatives to meet with Bull Connor and request permits to march. Connor threw them out of his office and threatened to send them to jail. SCLC leaders felt that they had no choice but to move to the next stage.<sup>39</sup>



As in all SCLC campaigns, once the commitment to nonviolent resistance had been made, prospective agitators went through a period of what Dr. King called "self-purification."<sup>40</sup> Leaders held a series of meetings during which they decided that the principal thrust of the resistance should be an economic boycott. The boycott was accompanied by other forms of protest, including sit-ins and political marches on government buildings. Because the thrust of the resistance was economic, SCLC decided to hold the demonstrations during the Easter shopping season. In 1963, Easter was celebrated on April 14.

In preparation for the demonstrations, fund raising (for bail money) was carried out, and other national civil rights organizations were alerted. SCLC held numerous meetings in Birmingham, where it first concentrated on adults and then later on young people. At the meetings, training sessions were held during which prospective agitators confronted each other. One played the role of a representative of the establishment, the other took the role of a nonviolent resister.<sup>41</sup>

A principal solidification tactic was the extensive use of freedom songs. Dr. King wrote: "In a sense the freedom songs are the soul of the movement. They are more than just incantations of clever phrases designed to invigorate a campaign; they are as old as the history of the Negro in America. They are . . . the sorrow songs, the shouts for joy, the battle hymns and the anthems of our movement."<sup>42</sup> Wyatt Walker, an officer of SCLC, outlined the importance of music as "the primary ingredient which has binded us together as a surviving people."<sup>43</sup> The songs were used in nightly meetings and sung by marchers during the protests.

Another solidification tactic was the use of clothing—wearing denim pants and shirts just as field hands and other workers had worn. On the day he was to be arrested in Birmingham, King wore specific clothing to show his solidarity with poor blacks:

He wore a work shirt, blue jeans that were crisply new and rolled up at the cuffs, and a new pair of "clodhopper" walking shoes. It was a startling sight, as some of those in the room had never seen King wear anything but a dark business suit.<sup>44</sup>

Later in the agitation, SCLC faced a serious solidification problem that was partly the result of the complicated political situation in Birmingham. In a special election in November of 1962, Birmingham voters decided to change the form of government from a commission system to a mayor-council system. One effect of the change was the removal of current commissioners from office, including Commissioner Connor, before the expiration of their terms. Members of the commissioners refused to accept the results of the election and went to court arguing that they should remain in power until their terms ended in 1965.

On March 5, 1963 (a little more than a month before Easter) an election for mayor was held under the new form of government. Three candi-

dates, including Connor, ran for the office. None of the candidates won a decisive victory, so a run-off election was scheduled for April 2 between the two leading vote-getters: Bull Connor and the more moderate Albert Boutwell. During the election campaign, SCLC postponed its demonstrations, because agitation might result in more votes for Connor. Boutwell won the election on April 2 but the old commissioners, including Connor, continued in office while their lawsuit was pending. Boutwell was scheduled to take office on April 15.

Four days after the April 2 election, SCLC began its nonviolent demonstrations. The mass media provided detailed coverage. Almost immediately, the establishment trumpeted its usual charge that the agitation was being led by outsiders. Dr. King also faced criticism from individuals who should have supported him. These critics included editorial writers from the national media and many clergymen.

Whether or not Dr. King explained his motives fully can never be known with certainty. The argument that he actually desired a direct confrontation with the Hanes-Connor arch-segregationist political establishment is plausible. The old administration did not lose its court suit until May 16 and did not leave office until May 23, almost two weeks after the agitation had ended.

### **Nonviolent Resistance and Suppression**

The agitation began after the run-off election on April 2. By April 6, about thirty-five arrests had occurred, mostly as the result of lunch counter sit-ins. Then marches and various other forms of resistance began. On April 6, forty-two demonstrators were arrested in a march on city hall. Meanwhile, the agitators were staging kneel-ins at churches, sit-ins at the city library, and a march on the county building to demonstrate the need for voter registration. On April 10, Dr. King—for the first time in his career as an agitator—violated a court order to cease the demonstrations. By April 11, between 300 and 400 demonstrators had been arrested. On April 12 (Good Friday), Dr. King and Reverend Ralph Abernathy led an illegal march. They and about fifty others were arrested. Because of the large number of arrests and because the city had deliberately raised the amount of bail needed to be released from custody, SCLC ran out of bail money. SCLC appealed to supporters outside of Birmingham for funds that could be used to bail out those arrested and to pay for the protest.

During the early period of the demonstrations, Birmingham police surprised many observers by using the least possible amount of force to arrest demonstrators. The police seemed to be enforcing the law and nothing else. A reasonable explanation for Commissioner Connor's early gentleness was a theory of control to which he appeared to subscribe, at

*Tame The Mind*

least temporarily. In 1962, Dr. King was one of the leaders of an unsuccessful agitation in Albany, Georgia. That action ended in failure because Chief of Police Laurie Pritchett had studied Gandhi's movement against the British in India and decided to meet nonviolence with nonviolence.

Working in close cooperation with the city's segregationist courts, the police arrested the Negro leadership, dispersed crowds with a minimum of violence. When the movement tried to fill Albany's jails, hundreds of Negroes were farmed out to nearby county, state and city prisons. Soon the Movement lost its drive and ceased to be a threat.<sup>45</sup>

His action led to a significant amount of fame for Pritchett throughout the South.

Pritchett traveled to Birmingham to give his advice and support, but he left after it became clear that Connor was unable or unwilling to maintain a nonviolent response over time. One of the reasons why agitators chose Birmingham was because they knew that Connor would not adhere to nonviolent suppression. They hoped he would do something foolish or violent that would call attention to the corruption of the system in Birmingham. They were correct.

During Dr. King's stay in jail, he received a telephone call from U.S. Attorney General Robert F. Kennedy. The call received wide coverage from the national news media, and it served a legitimizing function for the agitators. By April 20, Dr. King and Reverend Ralph Abernathy were out on bond with new resolve to continue the demonstrations until they achieved some success.

Reverend James Bevel, a SCLC staff person, devised an effective tactic for recruiting large numbers of high school and college students to participate in the movement and, subsequently, in marches. Bevel contacted popular black disc jockeys to encourage young people to demonstrate and to provide information on coming marches and events. Even very small children volunteered to participate in marches.

There was no historical precedent for Birmingham, Alabama, in April and May of 1963, when the power balance of a great nation turned not on clashing armies or global commerce but on the youngest student demonstrators of African descent, down to first- and second-graders . . . never before was a country transformed, arguably redeemed, by the active moral witness of schoolchildren.<sup>46</sup>

Connor quickly ran out of space in the jail. On May 2, about one thousand marched and were arrested. Violence did not occur. But on May 3, with the jails nearly full, Connor decided to reduce arrests and increase violence. The tools of suppression he used were police dogs and fire hoses, creating a confrontation that "would echo throughout the world and change Birmingham forever."<sup>47</sup>

National news coverage of the police actions projected "the most chilling television images recorded during the civil rights movement in

America."<sup>48</sup> The powerful visual symbols of the events in Birmingham were seared into the national conscience.

The police dogs and the fire hoses of Birmingham have become the symbols of the American Negro revolution. . . . When television showed dogs snapping at human beings, when the fire hoses thrashed and flailed at the women and children, whipping up skirts and pounding at bodies with high pressure streams powerful enough to peel bark off a tree—the entire nation winced as the demonstrators winced.<sup>49</sup>

Eric Sevareid commented on the CBS Evening News: "A snarling police dog set upon a human being is recorded in the permanent photoelectric file of every human being's brain."<sup>50</sup>

At the May 3 demonstration, the agitators remained nonviolent in the face of dogs and water hoses. However, some black onlookers threw objects like rocks, bricks, and Coke bottles at the police. The actions by the police and fire department converted many former opponents and people who were trying to remain neutral to the agitators' side. The establishment's tactics created many supporters, the opposite of their goal.

### Nonviolent Resistance and Adjustment

The violence in Birmingham triggered action by the U.S. government. While the demonstrations continued on Saturday, May 4, an important legitimizer arrived in the person of Burke Marshall, Assistant Attorney General in charge of the Civil Rights Division. That afternoon, apparently fearing that they could not control counterviolence from the black community, SCLC leaders called off demonstrations for the rest of the weekend. At that time, about twenty-five hundred demonstrators were in jail.

Marshall was faced with the difficult task of establishing communication between the agitators and the establishment. The agitators were eager to negotiate, but only if the demonstrations were permitted to continue. Both the business and the political establishment were also under pressure to reach agreement with the agitators. Businesses were suffering from the boycott as well as from widespread disapproval of events in Birmingham. Telephone calls legitimizing negotiation were received from U.S. Steel President Roger Blough, President John F. Kennedy, Secretary of Defense Robert S. McNamara, and Secretary of the Treasury Douglas Dillon.<sup>51</sup>

The *New York Times* later reported:

The irresistible argument of the pocketbook is making moderate leaders out of businessmen in many parts of the South. Birmingham's reputation for racial tension has cut new plant investment there by more than three-quarters in the last few years. Other cities do not want that kind of record. And businessmen in Birmingham are taking the risk of leadership because they do not want economic delay.<sup>52</sup>

On Monday, May 6, the demonstrations and arrests resumed. Marshall achieved some success with the Senior Citizens Committee of the business establishment. Still, the climate was hostile. The political establishment had not conceded and would not during the remainder of its tenure.

The following day, SCLC leaders apparently received strong assurance that concessions from the Senior Citizens Committee would be forthcoming. They announced the suspension of the demonstrations beginning the next day. The political establishment, to assert its independence, threw Dr. King and Reverend Abernathy into jail. They were quickly released, however.

The agreement that ended the agitation was announced on Friday, May 10. The agitators were granted major concessions by the business establishment, even though the accord made no commitments for the lame duck or incoming city administration. The four original demands of the agitators were dealt with as follows:

The agreement provided for desegregation, within ninety days, of lunch counters, rest rooms and the like in large downtown stores (the blacks had sought immediate desegregation); nondiscriminatory hiring and promotion, including specifically the hiring of Negroes as clerks and salesmen in the stores within sixty days, and the appointment of a fair employment committee; release of all arrested Negroes on bond or personal recognizance (the Negroes had demanded dismissal of all charges); creation of a biracial committee to maintain a "channel of communication" between the races.<sup>53</sup>

### Aftermath and Rhetorical Assessment

The segregationists in Birmingham did not accept the agreement gracefully. The short-term aftermath of agitation in Birmingham was exceptionally bloody. The day after the agreement, the home of Reverend A. D. King, Martin Luther King's younger brother, was bombed. The Gaston Motel was also bombed because Dr. King was thought to be staying there (he was actually in another city at the time). The bombings gave rise to a small-scale riot in black areas of Birmingham with widespread destruction of property. Hostility and legal reprisals continued throughout the summer, even after Connor and the previous administration left office on May 23. Many were injured. The vengeance reached its climax on September 15, with the bombing of the church in which the four girls died. That event led to the passage of the Civil Rights Act of 1964.

This violence might not have occurred if not for the inflammatory speeches continually delivered by Governor Wallace, Hanes, Connor, and others.

The speeches can be divided into three categories: (1) in the first group irresponsible individuals advocated direct confrontation in

emotional and irrational tirades; (2) a second group of more respectable citizens who possessed high ethos with the public used essentially the same irrational arguments, appealing to fear, frustration, and anger; but these speakers did advise against direct action; (3) both groups identified integration with hated external symbols (the Kennedys, Communism, military force). By their appeal to emotion which short-circuited rational judgment, even the more respectable orators unconsciously made the alternative to continued segregation so unacceptable that any method of resistance (even violence) became justified.<sup>54</sup>

Through all the violence, the SCLC declined to resume demonstrations, taking the position that the agreement with the business establishment continued in effect and that those doing the violent acts had no official standing. Dr. King wrote later that his preference would have been to resume demonstrations after the September bombings. "But some of those in our movement held other views. Against the formidable adversaries we faced, the fullest unity was indispensable, and I yielded."<sup>55</sup>

Eventually, the strategy of nonviolent resistance was successful in fulfilling the goals of the agitators. In 1969, *Newsweek* observed:

It wasn't too long ago when a Birmingham black man could not try on a pair of shoes in a department store, or park in certain public lots, or work behind a sales counter, or appear on a stage with whites. That is all changed now, as are the whites-only policies of the municipal parks, golf courses and swimming pools. . . . Negroes hold strategic positions on the board of education, the planning commission, the Chamber of Commerce and all the major civic associations. . . . Six years ago, seven lonely black children were attending previously all-white schools; today the figure is more than 5,000. Voter-registration drives have enrolled some 45,000 Negroes—about half those eligible—creating a power bloc that is energetically courted.<sup>56</sup>

Under the leadership of the business establishment and with the cooperation of the new political administration, Birmingham made considerable progress in adjusting to an ideology of equality.

Chains of causes and effects are difficult to establish in social affairs. The Birmingham agitation demonstrated that the tightrope of nonviolent resistance is a fragile one. Where grievances are severe and resistance to social change is strong, the nonviolent resister is faced with tensions between inaction or ineffective negotiation and violence. Both alternatives are unacceptable. The one does nothing to alleviate the grievances. The other risks death and destruction when the establishment is strong, or even when it is not so strong. It also provides a negative image of the agitators that can overshadow their legitimate demands.

The agitation in Birmingham accomplished its principal purposes. It reduced the outward manifestations of racial inequality and served as a potent symbol to other cities, especially in the South, of what might hap-

pen if the black revolution was illegally obstructed. The issue of race became an important part of the reporting of the national media:

From the first children's march on May 2, the *New York Times* published more stories about race in the next two weeks than during the previous year. Attention spilled from the news to the editorial and features pages, and from there to a rash of projects on racial subjects that within a year published new and reprinted books at the rate of nine per week.<sup>57</sup>

Before Birmingham, Dr. King was mainly known within the black community. After Birmingham, he was a significant and popular national figure. "Within a week of Birmingham [King] was greeted by motorcades and huge rallies in Cleveland, Los Angeles, and California" as well as being praised by major political figures throughout the nation.<sup>58</sup>

Interesting "What would have happened if . . .?" questions can be raised about Birmingham. What would have happened if Connor had not sacrificed his nonviolent stance on May 3? The demonstrations probably would have continued. At some point, the establishment would have been forced to choose between leaving the demonstrators alone or dispersing them with force because it could not have tolerated day after day of massive marches and demonstrations. Given persistence by the agitators, change was irresistible. President Kennedy was quoted as saying, "The civil rights movement should thank God for Bull Connor. . . . He's helped it as much as Abraham Lincoln."<sup>59</sup>

What would have happened if SCLC had not begun its demonstrations until after Connor and his associates left office? Assuming equal recruiting power for the agitators, the outcome as far as Birmingham was concerned probably would have been the same. Connor was only a symbol of the city's political climate. However, as far as the news media and the nation were concerned, the agitation in Birmingham would have been far less dramatic. Birmingham without Connor, fire hoses, and police dogs would have been a less successful symbol for agitators.

What would have happened if blacks had been a small minority in Birmingham instead of forty percent of the population? Rather clearly, the agitation could have been more easily suppressed by Connor's early tactic of nonviolent law enforcement.

Such questions help to establish the situational limits in which an agitational movement operates. Crucial to the Birmingham demonstrations were: (1) the economic power of the protestors themselves and the greater economic power of those reached by the agitators' rhetorical symbols; (2) the size and persistence of the population from which SCLC could draw; (3) the news media coverage that finally prompted federal intervention as a response to police violence; and (4) the commitment of the agitators to nonviolent resistance. Had any of these parameters been different, the nature and outcome of the agitation might have been significantly different. Birmingham bled, but it survived.

In his speech accepting the Nobel Prize in 1964, King referred to the battle in Birmingham: "I am mindful that only yesterday in Birmingham, Alabama, our children, crying out for brotherhood, were answered with fire hoses, snarling dogs and even death."<sup>60</sup>

An intriguing footnote to the events in Birmingham involved one of Dr. King's most famous documents. While in jail, King had been dismayed by the reaction of eight white church leaders who "issued a statement calling the street demonstrations 'unwise and untimely,' indicating that they should cease in anticipation of the 'days of new hope' that would presumably follow upon the swearing in of the new city administration."<sup>61</sup>

Dr. King replied to the charges in his "Letter from Birmingham City Jail." The letter has become one of the most famous documents of the 1960s. In the letter, he recounted the long history of segregation, unsuccessful negotiation, and broken agreements in Birmingham. He stressed the desirability of holding the demonstrations during the Easter shopping season. He gave strong evidence that the new administration, although it might be more likely to make concessions than the old, would do so only under the pressure of demonstrations. "We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed."<sup>62</sup> He vividly described the psychology of segregation from the point of view of those separated from the mainstream. Mixing example with generalization, he explained the philosophy that required him to violate unjust laws while insisting on obedience to just laws.

The letter was a masterpiece. It became so much a "sacred civil rights document"<sup>63</sup> that people forgot that it wasn't published until two months after King had left Birmingham.

In hindsight, it appeared that King had rescued the beleaguered Birmingham movement with his pen, but the reverse was true: unexpected miracles of the Birmingham movement later transformed King's letter from a silent cry of desperate hope to a famous pronouncement of moral triumph.<sup>64</sup>

## Notes

<sup>1</sup> Taylor Branch, *Parting the Waters: America in the King Years 1954-1963* (New York: Simon and Schuster, 1988): 14.

<sup>2</sup> For a discussion of those cases, see Branch, 122-128.

<sup>3</sup> Branch, 130.

<sup>4</sup> Branch, 131. Robinson was a professor of English at Alabama State University. A white couple, Clifford and Virginia Durr, were also active in organizing the boycott.

<sup>5</sup> Anthony Lewis and the *New York Times*, *Portrait of a Decade* (New York: Bantam Books, 1965): 60-61.

<sup>6</sup> Branch, 272.

<sup>7</sup> An excellent description of the Nashville sit-ins and its leaders can be found in David Halberstam, *The Children* (New York: Random House, 1998).

<sup>8</sup> Branch, 386.



- <sup>9</sup> James Farmer, quoted in Diane McWhorter, *Carry Me Home* (New York: Simon & Schuster, 2001): 195.
- <sup>10</sup> Marian Smith Holmes, "The Freedom Riders," *Smithsonian*, 39 (11) (February 2009): 73. A lawsuit required an agency (The Mississippi State Sovereignty Commission) created to resist desegregation in 1956 to open its archives. The files are available online and include more than 300 arrest photographs of Freedom Riders (available at <http://mdah.state.ms.us/arih/contents/er/sovcom>). Eric Etheridge published *Breach of Peace: Portraits of the 1961 Mississippi Freedom Riders* (New York: Atlas & Company, 2008) that includes recent portraits of 80 Freedom Riders juxtaposed with the 1961 arrest photographs.
- <sup>11</sup> Gordon E. Misner, "The Response of Police Agencies," *Annals of the American Academy of Political and Social Science*, 382 (1969): 114.
- <sup>12</sup> Branch, 420.
- <sup>13</sup> Theophilus Eugene Connor was born in 1897 in Selma, Alabama. As an adult he worked on the railroad as a telegrapher before becoming a local celebrity at re-creating baseball games from telegraph reports. Because of his booming voice, his bulldog appearance, and his ability to "shoot the bull" during the re-creation, he became known as "Bull." Because he was well known, Connor served a term in the state legislature before being elected to the city commission in 1937. He chose to be commissioner of public safety because he could control the police. For a brief biography, see Paul Hemphill, *Leaving Birmingham: Notes of a Native Son* (Tuscaloosa: University of Alabama Press, 1993): 106–111.
- <sup>14</sup> Hemphill, 119.
- <sup>15</sup> Eugene Connor, quoted in Misner, 184; Branch, 425. The quote was taken from the U.S. Commission on Civil Rights, *Report*, vol. 5 (Washington, DC: U.S. Government Printing Office, 1961).
- <sup>16</sup> Branch, 425–426. On his return from Tokyo, Smyer worked to remove Connor from office and initiated talks that would lead to changes in segregation laws.
- <sup>17</sup> McWhorter, 236.
- <sup>18</sup> McWhorter, 15.
- <sup>19</sup> Quoted in Branch, 3.
- <sup>20</sup> Arthur I. Waskow, *From Race Riot to Sit-In* (Garden City, NY: Doubleday, 1966): 225.
- <sup>21</sup> Martin Luther King, Jr., *Why We Can't Wait* (New York: New American Library, 1964): 50.
- <sup>22</sup> King, 102–103.
- <sup>23</sup> McWhorter, 113.
- <sup>24</sup> Branch, 689–690.
- <sup>25</sup> Eugene Connor, quoted in Lewis, 159.
- <sup>26</sup> Arthur Hanes, quoted in Lewis, 161.
- <sup>27</sup> Arthur Hanes, quoted in Lewis, 161.
- <sup>28</sup> Hemphill, 2; Branch, 689–690.
- <sup>29</sup> King, 49.
- <sup>30</sup> Charles Morgan, Jr., quoted in Lewis, 175. Because of his frustration with the events in Birmingham, Morgan left the city. He was only one of the many talented young people who left Birmingham out of frustration.
- <sup>31</sup> Branch, 692.
- <sup>32</sup> Lewis, 173.
- <sup>33</sup> Hemphill, 138.
- <sup>34</sup> McWhorter, 90.
- <sup>35</sup> King, 52.
- <sup>36</sup> Branch, 643.
- <sup>37</sup> King, 53.
- <sup>38</sup> Quoted in McWhorter, 298.
- <sup>39</sup> Branch, 708–709.
- <sup>40</sup> Martin Luther King, Jr., "Letter from Birmingham City Jail," in *Nonviolence in America: A Documentary History*, Staughton Lynd, ed. (Indianapolis: Bobbs-Merrill, 1966): 463.
- <sup>41</sup> Hemphill, 143.

- <sup>42</sup> King, *Why We Can't Wait*, 61.  
<sup>43</sup> Quoted in McWhorter, 327.  
<sup>44</sup> Branch, 729.  
<sup>45</sup> Bradford Lyttle, "The Peacemakers' Struggle in Albany, Georgia," in Lynd, 363.  
<sup>46</sup> Taylor Branch, *Pillar of Fire: America in the King Years 1963-1965* (New York: Simon and Schuster, 1998): xiii.  
<sup>47</sup> Hemphill, 147.  
<sup>48</sup> Hemphill, 8.  
<sup>49</sup> Bayard Rustin, quoted in Misner, 116.  
<sup>50</sup> Quoted in McWhorter, 22.  
<sup>51</sup> Lewis, 160.  
<sup>52</sup> Lewis, 164.  
<sup>53</sup> Lewis, 161.  
<sup>54</sup> Wayne Flynt, "The Ethics of Democratic Persuasion and the Birmingham Crisis," *Southern Speech Journal*, 35 (1969): 42.  
<sup>55</sup> King, *Why We Can't Wait*, 115.  
<sup>56</sup> "The Change in Birmingham," *Newsweek*, December 8, 1969, 79.  
<sup>57</sup> Branch, *Pillar of Fire*, 87.  
<sup>58</sup> Branch, *Pillar of Fire*, 88.  
<sup>59</sup> Quoted in Hemphill, 151.  
<sup>60</sup> Quoted in Branch, *Pillar of Fire*, 541.  
<sup>61</sup> Lewis, 156.  
<sup>62</sup> King, "Letter from Birmingham City Jail," 466.  
<sup>63</sup> McWhorter, 355.  
<sup>64</sup> Branch, *Parting the Waters*, 744.

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