Women's International
League for Peace and Freedom

PEACE AND FREEDOM IN ALABAMA
AS APPLIED TO RACE RELATIONS

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So much has occurred in race relations in Alabama during the first two months of 1961, that these remarks will be confined to discussing some of the developments which have taken place so far during January and February. Two general points of view will be considered. First, those forces operating against the extension of peace and freedom in the State, and then those operating to extend these much sought after goals. I am sure there can be no disagreement from this group that our State, county and city governments are operating to prevent the extension of full citizenship rights granted under the United States Constitution to Negroes wholly on the basis of race; and that other reasons given are merely excuses for real motives.

When the Chief Executive entered politics in the State, he pledged to maintain segregation of the races and has consistently carried out his pledge. On January 16, he stated more emphatically than ever before, if that is possible, that as far as the schools are concerned, there will be total resistance to integration at all levels. Announcement has been made that in May he plans to seek authority from the State Legislature to close any public school or State-supported college before submitting to a court order to integrate them. Thus, he hopes to supplement the police powers he already has. In spite of the fact that a previous request to the Legislature was denied on the basis that this was too much power to place in the hands of one man, it may well be that this year the Legislature will grant it.

The Governor declares if he is faced with situations similar to those which were faced by the executives of Arkansas and Louisiana, he will act similarly. He calls provisions in the Civil Rights Act of 1960, making it a criminal offense to interfere with a Federal court order, not only unconstitutional but "judicial

tyranny." He says the purpose of integrationists is to eliminate the white race, to integrate jobs and to compel every employer to hire a certain percentage of Negroes. These are the standard arguments of the petty politician. The State, he warns, meaning the white people of the State, must decide which is more important--a public school system, good business and the people making money or the right of the State to govern itself as it pleases. He has decided against public education, if desegregated, against good business and against the fair distribution of job opportunities. Not only are provisions of the Civil Rights Act of 1960 called unconstitutional, but the State's Attorney General instituted legal action to this effect. Fortunately, it was dismissed by the Federal Circuit Court. This does not mean though that it will not be appealed to the Highest Court.

On the local executive level, we have the spectacle of two members of the City Commission of Montgomery garnisheeing the property of Negro citizens to satisfy a $500,000 libel judgment against them for joining with other persons in other states in placing an ad in the New York Times on behalf of the Rev. Martin Luther King, when the State was prosecuting him for alleged income tax evasion. These judgments were obtained in State courts in the now famous New York Times case. Lack of vigilance on the part of the four Negro ministers, defendants with the Times in this suit, to continue their motion for a new trial as the New York Times did, has caused them to be harassed by these officials and they face the misfortune of being stripped of all property allowable by law unless some relief is given. An appeal to the Federal District Court to prevent such seizures brought the advice that remedies should be sought in State courts first before appealing to Federal Courts. But before the case can get to the Federal courts, it may be too late.

Not only are the Governor, his associates and city officials operating to limit freedom and thus eliminate the prospects of peace between the races but the courts and the Executive Branch work hand in hand to maintain the status quo. The Alabama Court of Appeals turned down the plea of the Rev. F. L. Shuttlesworth

and thirteen other Birmingham Negro citizens from their convictions arising out of a bus desegregation effort in October, 1958. They, too, plan to take the case to the Federal District Court. There is little doubt that they will win it, because this court has already ruled in a similar case that policemen have no lawful right to arrest Negroes seating themselves in the front of buses.

Members of the State Legislature, the seat of anti-Negro laws, have already drafted another bill to keep Negro citizens of Tuskegee from exercising political rights in city government. Stymied because their Act gerrymandering these citizens outside of the town limits was declared unconstitutional, the die-hards seem to be planning to abolish city government entirely and turn its functions over to boards appointed by the Legislature and approved by the Governor. The alternative to this action would be a separate city for Negroes, to be created under the power of the legislative body to charter new municipalities. All this maneuvering is being done just to keep Negroes in what this group calls "his place"; and that place is outside of politics and everything else that savors of equality.

These are by no means all of the forces operating against peace and freedom in the State, but they are the most potent and will continue to be so until the people can be made to realize that such politicians are the real road blocks to a satisfactory life and that neither the potential of the State nor of the region can be realized under their continued leadership. Pertinent is the statement of a member of the New Orleans City Council. He recently said, "Demagogues have been the spokesmen of our people. It is high time their destructive and irresponsible mouthings are replaced by voices of responsibility and decency."

Let us now turn to forces operating to extend peace and freedom. Certainly mention must be made of the various voluntary organizations among Negroes in many communities as well as the few interracial groups working in such large cities as Montgomery, Birmingham, Mobile, Tuscaloosa and in other places. And, of course, there is the work of our own Tuskegee Civic Association, its officers and members, the guardians of civil rights in our immediate locality but who also lend their in-

fluence wherever it is needed.

The Greater Birmingham Council on Human Relations, an interracial body, is urging an end to attacks and counter attacks in race relations; and, instead, has proposed a program of discussion and action by responsible citizens. This is something much to be desired. Almost the same suggestion was made on Brotherhood Sunday by a young white Presbyterian minister, a self-sytled segregationist, but evidently a person with a desire to live up to the teachings of the Christian faith, despite traditions that made him pay homage to his southern background. Preaching brotherhood, he called on the City Council and the Board of Registrars of Tuskegee to reconsider their policies of rejection of Negro citizens and to initiate reconciliation between the white and colored races around a conference table, where the two groups could trash out their problems together. He asked the Negro community to be patient with the whites who cannot immediately abandon attitudes they have held for so long and which they think are right. This sermon was broadcast over the local radio station as he was about to leave the town; and he left almost immediately for another pastorate in the northern part of the State.

But we are indeed fortunate to have the Federal Government as the foremost agency operating to protect the rights of citizens of color. The Supreme Court of the United States within a little more than six years has done much in the light of present day conditions in both domestic and world affairs to wipe out previous illiberal decisions. In deciding on February 17 that the Alabama law gerrymandering Negroes out of the Tuskegee city limits was illegal because unconstitutional, the Federal District Court in Alabama cited part of the Highest Tribunal's ruling that remanded the case to it. "If allegations by Negroes were not contradicted, it was clearly demonstrated that the legislation is solely concerned with segregating white and colored voters by fencing Negro citizens out of town." The District Court found that such fencing deprived Negroes of rights under the Fifth Amendment; and it enjoined city officials from enforcing it.

While this decision sets a precedent, a real victory was not won. The struggle still lies ahead. If Negroes take freedom seriously, and past events prove they do, they will have to call upon all of their physical, mental, and economic reserve to combat forces continuing, despite the law, to deprive them of their rights.

In another case using the Civil Rights Act of 1960 giving the United States Department of Justice the right to bring suit against voter registration officials who discriminate, attorneys for the Government, on February 20-23, in Federal District Court at Opelika, Alabama, bared for the world to see the naked crookedness of registration officials. Several injunctions in other States against discriminatory practices in registration and voting have already been issued by Federal courts, so it is not unlikely that a favorable decision will be made in the Macon County suit. In addition, the Department of Justice has also instituted suits against Sumter and Bullock counties in the State, with perhaps others to follow.

Citizens of Macon County, although all too familiar with the devices used to keep Negroes from exercising suffrage rights, were shocked at the flagrant and unashamed discrimination and the extent of the political immorality of registration officials when they testified in Opelika. Just a few of the revelations at the trial will be cited: Testimony showed that Negroes are required to write, by hand, long passages from the Federal Constitution, while whites are given shorter passages and in many cases do not even have to take a writing test. Negroes have had to go to the court house at the county seat to apply for suffrage rights, while many whites are registered in their homes, at the homes of the registrars and even in parked cars along the roadside; in fact, almost anywhere. It appeared that the registrars scouted the countryside to find every white adult who could be registered regardless of qualifications. Application blanks of white illiterates were filled out for them and all they had to do was to make their mark or to "write something on a line or two at the bottom of the page." The excuse given for not requiring whites to take the writing test in rural areas was that no facil-

ities were available for doing so, although facilities were available when a seventy-five-year-old Negro woman in the country wanted to register. She had to write for at least four and a half hours until she could no longer see because her eyes began to give her trouble, and she simply stopped writing.

Registrars signed applications for whites even when they failed to answer important questions like "would you aid and comfort enemies of the United States and/the State of Alabama"; but they failed to process perfect application papers of Negroes. It was brought out at the trial that at the rate of speed registrars now permit Negroes to apply, it will take forty years to register the 400 Negro applicants, who, in one day, applied for this privilege.

Former registrars of the county had to admit that they should not have accepted white voters with little or no education; that it is not necessary to subject Negro applicants to the time-consuming task of copying long passages in longhand. When there were no adequate answers to questions asked, they fell back on the factor of human error or on lack of memory and on custom; but they still insisted that they treat both whites and Negroes alike, in spite of their own acknowledgment to the contrary.

One notes with some satisfaction that in Birmingham a $9,000,000 damage suit against Southeastern Greyhound Lines, notorious for its mistreatment of Negro passengers in the South, has been instituted by the seventeen-year-old daughter of the Rev. F. L. Shuttlesworth, who was arrested last summer because she, accompanied by a younger brother and sister, refused to move to the rear of a bus in which they were traveling from Tennessee to Birmingham. One is also encouraged to read that the United States Fifth Circuit Court has ordered the cessation of segregation at the train terminal in that city by returning the case of Mr. and Mrs. Carl Baldwin to the Federal District Court which was directed to remedy the condition.

Besides the active role of the Federal Government, of organizations, and of individuals in the cause of freedom, a group of students from Talladega College

traveled twenty-five miles to Anniston, Alabama, where they protested the beating of a fellow student and a college employee by whites who objected to their use of the white waiting room. These students marched past the court house in complete silence, and even when struck and spat upon, did not break ranks, retaliate or speak.

We live contiguous to and are forced to participate in an immoral society, which permits robbery in the matter of educational rights, political rights, and economic rights. Our problem is how to extricate ourselves from this impossible situation. I think we all agree with the Rev. Mr. Ralph Abernathy, President of the Montgomery Improvement Association, who said in a speech at Farmville, Virginia: "We want our freedom . . . not in the next generation, not next year, not sometime next week; not even tomorrow morning. We want our freedom right now." But the question is, what can we do in addition to what we are already doing to secure it. This is our challenge.